Table of Contents

Foreword

All praise is due only to Allaah. We laud Him and beseech His aid and beg forgiveness only from Him and believe in Him and rely solely on Him. We seek salvation in Him from the evils of our inner selves and the vices of our actions. There is none to misguide one whom Allaah intends to guide. I bear witness that there is no one worthy of worship but Allaah, the One who has no partner. I also testify that Hadhrat Muhammad ρ is the faithful servant and the Last Rasul of Allaah. May Allaah Ta'ala's mercy be on him, his family and his Sahabaah τ and may He bless them and raise their status.

The fallacious claim of the 'Ahle Hadith', 'ghair Muqallid', 'La Mazhaabiyia' is that they follow strictly the Ahadith of Nabi ρ and nothing else. They cry this slogan and brand 'conformist' as 'bidatis' and even bring them to the level and Shirk and Kufr.

But the able scholar of Ahadith, Hadhrat Moulana Anwar Qureshi of Lahore, Pakistaan in his book 'Hadith aur Ahle Hadith' in Urdu has utterly demolished their cobweb stand and unveiled their deception.

Openly proving that the so called claimants of following the Hadith are in reality the deniers and rejectors of Ahadith whilst the Hanafis are in fact the followers of the Ahadtih.

We have not translated the entire voluminous book but chosen as emergency those rules of dispute created by the non- conformist in our country so as to educate, arm and equip the weary one against the vicious, malicious proprganda of the deviated 'Ahle Hadith'.

Adequate well referenced quotations are stated from Ahadith, statements of Sahabah τ, sayings of the Tabieen, quotes of the Tabi Tabieen to expose the nefacious deception of the 'Ahle Hadith.'

May Allaah Ta'ala grant 'Hidaayat' (guidance) to all.

Request for duaas.
A. H. Elias
4/ 5/ 08
Masjid e Nabawi after Asr.

To touch the Qur'an without Tahaarah (purification) is not permissible

"No one should touch it except the pure ones"

1. It is narrated from Hakeem ibn Hazaam τ that when Nabi ρ had sent him as a governor of Yaman, he ρ said: "Do not touch the Qur'an except whilst you are pure state." (Mustadrak Haakim Vol.3 pg 485, Daar e Qutni Vol. 1 pg 122)

2. It is narrated from Hadhrat Abdullaah ibn Umar τ that Rasulullaah ρ said: "Besides the pure person, no one should touch the Qur'an." (رواه الطبراني في الثصغير والكبير ورجاله موثقون مجمع الزوائد - Vol 1 pg 276)

3. It is narrated from Hadhrat Abdullaah ibn Abu Bakr ibn Hazam (A.R.) that the letter which Rasulullaah ρ had written to Hadhrat Umar ibn Hazam τ also included the statement: "No one should touch the Qur'an besides a pure person." (Mua'tta Imaam Maalik pg 185)

4. Hadhrat Anas ibn Maalik τ said that Hadhrat Umar τ came out with his sword suspended, he was told that your brother in law and sister have become (Saabi-صابی). He immediately came to his sister and brother in law with whom a muhaajir sahaabi known as Khabaab was present. They were all reading Surah طه. Hadhrat Umar τ said: "Give me that Kitaab which you all were reading I also want to read and he began reading." His sister said to him: "You are impure and only the pure people touch the Book of Allaah, because of this, stand up and either make ghusl or wudhu." Hadhrat Umar τ got up and made wudhu, thereafter he took the Kitaab and read Surah طه. (Daar e Qutni Vol 1 pg 123)

5. Hadhrat Abu Waail (A.R) had sent his menstruating servant to Abu Razeen (A.R.) and she had held the Qur'an with a string/attachment. (Bukhari vol 1 pg 43)

It is established from the Ayaat of the Qur'an, Ahaadeeth, and statements of the Sahaabah τ that Tahaarah (wudhu/ ghusl) is a pre - condition to touch the Noble Qur'an. To touch the Qur'an without

Tahaarat (wudhu or ghusl) is not permissible. Both Allaah Ta'aala and Nabi ρ have prevented this. Sahaabah e Kiraam and great Taabi'een acted upon this and the consensus of the Ummat is also upon this.

Accordingly, Abdur Rahmaan Al Shaafi'ee writes: "To pick up or touch the Qur'an for a person without wudhu is not permissible – by consensus of agreement." (Rahmatul Ummat pg 15)

Contrary to the Ayaat of the Qur'an, Ahaadeeth and Statements of the Sahaabah, and consenses of the Ummah, the saying of the Ghair Muqallideen is that Tahaarah (wudhu/Ghusl) is not a condition for a person to touch the Qur'an. The Qur'an can also be touched without Tahaarah (wudhu/ghusl).

Accordingly, respected Waheed ul Zammaan writes: "It has been said tahaarah (wudhu) is not a condition for the touching of the Qur'an, and from amongst our companions, Shokaani etc. were positive about it. (Nazalul Abraar Vol. 1 pg 1)

Respected Nur ul Hasan writes: "Even though the permissibility for a person without wudhu to cover the Qur'an is emphasised." (Arful Jaadi pg 15)

Though for a person without wudhu to touch the Qur'an is permissible.

Conclusion:

Allaah Ta'aala, Nabi ρ, the Sahaabah e Kiraam, Great Taabi'een, A'immah e Mujtahideen are all saying that it is not permissible to touch the Qur'an without wudhu, but the Ghair Muqallideen have left them and said: "NO! it is also permissible for a person reading the Qur'an to touch it without tahaarah (wudhu)."

Respected readers can decide whether this is open conformation or contradiction with the Qur'an and Ahaadeeth? Remember, the Ghair Muqallideen have followed Dawood Zaahiri regarding this rule

because he has stated that to touch the Qur'an without Tahaarat (wudhu) is permissible.

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(2) To raise the hands and make congregational Duaa after the (fardh) namaaz is correct.

1. Hadhrat Abu Umaamah τ said that Rasulullaah ρ was asked which Duaa is most accepted. He ρ replied, that which is made in the last portion of the night and what is asked after the (fardh) salaats (obligatory prayers). (Tirmizi Vol. 2 pg 187)

2. Hadhrat Ali ibn Abi Taalib τ said that when Nabi ρ had completed his salaat, he turned and made this Duaa, اللهمّ اغفرلى ما قدمت وما اخرت وما اسررت وما اعلنت وما اسرفت وما انت اعلم به منى انت المقدم وانت المؤخر لآ اله الاّ انت (Abu Dawood Vol. 1 pg 212)

3. It is narrated from Hadhrat Baraa τ that Nabi ρ used to make this Duaa after Salaat, رب قنى عذابك يوم تبعث عبادك (بحواله Nailul Atwaar Vol. 2 pg 321)

4. It is narrated from Hadhrat Salma τ that Nabi ρ used to make the following Duaa after Salaam, اللهم انى اسئلك علما نافعا و رزقا طيبا و عملا متقبلا (Musnad e Ahmad Vol. 6 pg 305 , Ibn Maajah pg 66)

5. It is narrated from Hadhrat Muaaz ibn Jabal τ that Rasulullaah ρ said to him "O Muaaz! I am advising you, after every namaaz do not leave out this Duaa," اللهم اعنّى على ذكرك وشكرك و حسن عبادتك (Musnad e Ahmad Vol.5 pg 247 , Abu Dawood Vol.2 pg 213 , Nasaa'e Vol.1 pg 192)

6. Hadhrat Salman τ said that Rasulullaah ρ said: "Your Rabb is Everliving, Most Generous, and Shy to return His slave empty handed when he picks up his hands and makes Duaa to Him." (Tirmizi Vol.2 pg 196 , Abu Dawood Vol.1 pg 209 , Ibn Maajah pg 284)

7. Hadhrat Umar ibn Khataab τ said that when Rasulullaah ρ raised his hands to make Duaa he did not return them until he passed them on his face. (Tirmizi Vol.2 pg 176)

8. Hadhrat Ikramah τ narrates from Hadhrat Ayesha τ that he heard from Hadhrat Ayesha τ that she saw Nabi ρ raise both hands and make this Duaa, انما انا بشر فلا تعاقبني ايما رجل من المؤمنين آذيته وشتمته فلا تعاقبني فيه. (جزء رفع اليدين للامام بخاري Bukhaari pg 17)

9. Hadhrat Fadl ibn Abbaas τ said that Rasulullaah ρ said, Salaat is two, two rakaats. Between every 2 rakaats is At'tahiyyaat (التحيات) and fear, show helplessness, make your destitution apparent and raise your hands, Hadhrat Fadl ibn Abbaas τ said, the meaning is that you raise your hands in the presence of Your Cherisher (Rabb) in this way that the palms of both hands are towards your face and say, O Rabb! O Rabb! Who did not do that, then it is like this and like this. (Tirmizi Vol.1 pg 87 , Nasaa'e Vol.1 , Ibn Khuzaimah)

10. Muhammad ibn Aslami (A.R.) said that he had seen Hadhrat Abdullaah ibn Zubair τ in this condition that he had seen a person making Duaa with his hands raised before completing Salaat. When he finished his Salaat then he had told him that Rasulullaah ρ never use to raise his hands for Du'aa until he had completed the Salaat. (Musanif ibn Abi Shaibah – بحواله سنية رفع اليدين فى الدعاء بعد الصلوات المكتوبة لمحمد بن عبد الرحمن الزبيدى pg 22)

11. It is narrated from Hadhrat Anas τ that Nabi ρ said: "Whichever servant spreads his hands after every Salaat and makes this Du'aa, اللهم الهى واله ابراهيم و اسحق ويعقوب و اله جبرائيل و ميكائيل و اسرافيل عليهم السلام اسئلك ان تستجيب دعوتى فانى مضطر وتعصمني فى ديني فانى مبتلىً و تنالنلى برحمتك فانى مذنب و تنفى عنى الفقر فانى متمسكن, then it becomes a responsibility of Allaah not to return these hands unsuccessful." (عمل اليوم والليلة لابن السنى pg 46)

12. Hadhrat Aswad Aamiri narrates from his father that he said: "I read Fajr Salaat with Rasulullaah ρ, when Rasulullaah ρ made

Salaam, he turned away, raised his hands and made Du'aa." (سنية
رفع اليدين فى الدعاء بعد الصلوات المكتوبة مع جزء رفع اليدين للامام بخاري - pg 23)

13. It is narrated from Hadhrat Abu Hurairah τ that Rasulullaah ρ raised his hands after Salaam whilst facing the Qiblah, then made this Du'aa, "O Allaah! Aid Waleed ibn Waleed, Ayaash ibn Rabee'ah, Salama ibn Hishaam and those weak Muslims who cannot do anything, nor is there any path for them to be guided to from the hands of the disbelievers." (تفسير القرآن العظيم Vol.1 pg 22)

14. Abdul Aziz bin Abi Rawaad said: "Alqalmah ibn Murshid (A.R.) and Ismail ibn Umayya (A.R.) narrated to me that when Rasulullaah ρ completed his Salaat, he used to raise his both hands together and make this Du'aa, اللهم اغفرلى ما قدمت وما اخرت وما اسررت وما اعلنت وما اسرفت وما انت اعلم به منى انت المقدم وانت المؤخر لآ اله الآ انت لك الملك ولك الحمد " (كتاب الزهد والرقائق للامام عبد الله بن المبار)

Haafiz Ibn Katheer has mention in the incident of Alaa ibn Hadrami τ that when pre - dawn used to set in and when the Azaan for Fajr Salaat was given, he used to teach the Sahaabah and Taabi'een how to read Salaat. When he completed the Salaat, then he and the people would all sit on their knees. He raised up his hands and made Du'aa and the people did the same. (Bidaayah Wa Nihaayah Vol.4 pg 328)

From the abovementioned Ahaadeeth and statements of the Sahaabah the following commands are estasblished:-

a) The Du'aa known to be most accepted is that which is after the (Fardh) Salaat.

b) Nabi ρ himself use to make Du'aa after the (Fardh) Salaat and the Sahaabah e Kiraam also encouraged this.

c) The etiquette of making Duaa, is to raise the hands and make Duaa. Nabi ρ most of the time used to raise his hands and make Duaa.

d) Ahadeeth narrated by Hadhrat Abdullaah ibn Zubair τ, Hadhrat Abu Hurairah τ, the father of Hadhrat Aswad Aamiri and Hadhrat Alqamah bin Murshid establishes that Nabi ρ used to raise his hands and make Du'aa after the (Fardh) Salaat also.

e) The Ahaadeeth narrated by Hadhrat Fadl ibn Abbaas τ and Hadhrat Anas ibn Maalik τ establishes that Nabi ρ used to also encourage the Sahabah e Kiraam to raise their hands and make Du'aa after the (Fardh) Salaat.

f) It is clear in the incident of Hadhrat Alaa ibn Hadrami τ that he used to perform the Du'aa after the (Fardh) Salaat with his hands raised and the Sahaabah and Taabi'een use to raise their hands and join him.

From the above actions it is certainly evident and established that Nabi ρ used to raise his hands and make Duaa after the (Fardh) Salaat, the Sahabah e Kiraam also encouraged this. It is necessary that when Nabi ρ raised his hands and made Duaa that the Sahabah e Kiraam would also raise their hands and make Duaa, because it is farfetched to say that when Nabi ρ would raise his hands and make Du'aa the Sahabah e Kiraam, were sitting there by chance.

In view of these Ahaadeeth, the statements of the Sahabah and the traditions passed down from generation to generation by the Ummat, the jurists have stated that it is Mustahab (preferable to raise the hands and make congregational Du'aa after the (Fardh) Salaat.)

Contrary to all the Ahaadeeth and statements of the Sahaabah, the Ghair Muqallideen of the present era have understood congregational Duaa after the (Fardh) Salaat to be incorrect. Some say that it is an innovation and some say that is Haraam and have stopped it by saying it is a custom and a pious fraud.

Accordingly, Ghair Muqallid Sheikh ul Hadith Abul Barakaat Ahmad Saheb writes:-

"Concise version" Current Duaa is one custom and a pious fraud which was not present in the sunnat or lifestyle of Rasulullaah ρ, the history of the Kulafaa e Raashideen, the Fataawa of the Aimmah e Arba'a (Four schools of thought), nor in the chapters of Kitaabs (books) of the Muhaditheen. From time to time and sometimes there are also mistakes, because congregational Duaa is not established once also from Nabi ρ, in this way how can it be correct to do this sometimes?" (Fataawa e Barakaatiyya pg 98)

He further writes:-

"Teacher of teachers, our Sheikh Mukarram Muhaddith Gondelwi (A.R.) under his supervision there were three Musaajid in which this innovation has been stopped. Taali Waali Masjid, Muslim Masjid in No-shehra road and Jaami'a Islaamiyya in Haafiz Aabaad road, If hypothetically speaking, somebody has to make Duaa in this manner, then ask him, What is this? It has been 38 years since I have come to Gujraanwaale, from then till his death they have not seen anyone make congregational Duaa." (Fataawa e Barakaatiyya pg 96)

One Ghair Muqallid Muhammad Abu Abd-u-Salaam has written an article against congregational Duaa after Salaat, in the centre of the title is written in bold letters "To make congregational Duaa after the (Fardh) Salaat is bid'at (an Innovation) and haraam (prohibited). A correspondent performed Asr Salaah with Jamaat (congregation) in one Masjid in Deoband. As soon as the Imaam made salaam one elderly `Ghair Muqallid` person stood up and began making noise that there is no proof for Duaa after Salaat in the Hadith, instead it prohibited.

Conclusion:

To raise the hands and make Duaa after the (Fardh) Salaat is established from the sayings and actions of Nabi ρ and the Sahaabah e Kiraam. Nabi ρ and the Sahaabah e Kiraam used to raise the hands and make Duaa after the (Fardh) Salaat individually, as well as collectively. Needless to say that the actions of the Pious Predecessors (Aslaaf) and aslo what came down from generation to generation is present, which

on its own is a separate proof. But, the Ghair Muqallideen of the present era have determined this action to be a custom, pious fraud, innovation and haraam.

The decision is on your head, that to declare an action which is established from the actions of the (Aslaaf) Pious Predecessors, Sahaabah e Kiraam and Nabi ρ as Bid'at (innovation) or Haraam (prohibited), Is this called acting upon the Hadith? Come! Is this conforming or contradicting the Hadith?

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(3) In the straightening of the Saffs (rows), it is Sunnat to do so by joining shoulder to shoulder, not foot to foot.

1. Hadhrat Abdullaah ibn Umar τ narrates that Rasulullaah ρ said, straighten the rows, and make the shoulders equal, fill the gaps and be soft with your brothers, Do not leave any gaps for Shaitaan. Whoever joins the rows, Allaah will join with him, and whoever severs the rows, Allaah will cut of from him. (Abu Dawood Vol.1 pg 97)

2. Hadhrat Baraa ibn Aazib τ said that Rasulullaah ρ use to come in between the rows from one side to another and make our chests and shoulders equal and say, do not be back and forth, otherwise your hearts will differ. **He said that Allaah (جلّ جلاله) sends His mercy and the angels make Duaa of mercy for the ones in the front row.** (Abu Dawood Vol.1 pg 97)

3. Hadhrat Anas ibn Maalik τ said that after the Takbeer of Salaat, Rasulullaah ρ turned and faced us, then he said, look, keep the rows straight, and stand joined. **Without doubt, I see you all from behind my back.** In another narration from Hadhrat Anas ibn Maalik τ is that every one from amongst us put our shoulder and the shoulder of the next person, and our foot and his foot was brought together. (Bukhari Vol.1 pg 100)

4. Hadhrat Anas ibn Maalik τ narrates from Nabi ρ that he ρ said: "Join your rows and keep them close. Keep the necks equal. I take an oath on that being in whose power and possession lies my life, I saw that Shaitaan rushes in those rows in which there are empty spaces, as though he is the smallest offspring of a sheep." (Abu Dawood Vol.1 pg 97)

5. Hadhrat Abu Al Qaasim Jadli (A.R.) said that I heard Hadhrat Nu'maan ibn Basheer τ say that Rasulullaah ρ faced the people and said this thrice that, Straighten the (Saffs) rows, Oath on Allaah, it is necessary for you to straighten the (Saffs) rows otherwise Allaah Ta'aala will place dissension in your hearts. (After this) Hadhrat Nu'maan ibn Basheer τ said that he saw that one person was standing shoulder to shoulder, knee to knee and ankle to ankle linked to the next person. (Abu Dawood Vol.1 pg 97)

6. Hadhrat Nu'maan ibn Basheer τ said that Rasulullaah ρ used to straighten our (Saffs) rows. One day Nabi ρ came out and saw that the chest of one person from the people (Namaazis) was protruding out. Nabi ρ said straighten your (Saffs) rows, otherwise Allaah Ta'aala will place difference between your faces. In this chapter, Hadhrat Jaabir ibn Samurah τ, Hadhrat Baraa ibn Aazib τ, Hadhrat Jaabir ibn Abdullaah τ, Hadhrat Anas τ, Hadhrat Abu Hurairah τ, Hadhrat Ayesha τ have also narrated this Hadith. Abu Isaa (Imaam Tirmizi (A.R.) said that the Hadith of Hadhrat Nu'maan ibn Basheer τ is 'Hasan and Sahih' (correct and authentic). It is narrated from Nabi ρ that he ρ said, the perfection of Salaat is in the straightening of the (Saffs) rows. It is narrated from Hadhrat Umar Farouq τ that he use to appointment a person for the correcting of the (Saffs) rows. Until he was not informed of this, that the rows were straight, he would not say the Takbeer (for Salaat). It is narrated regarding Hadhrat Ali τ and Uthmaan τ that they also were very concerned about this and used to say, stand straight! Hadhrat Ali τ use to say, so and so come forward and so and so go back. (Tirmizi Vol.1 pg 53)

7. It is Narrated from Hadhrat Maalik ibn Abi Aamir Ansaari (A.R.) that Hadhrat Uthmaan Ghani τ used to say in his sermon when they stood for Salaat that arrange the rows, and make the shoulders equal. (Mua'tta Imaam Muhammad pg 86)

8. It is narrated from Hadhrat Abdullaah ibn Mas'ood τ said that he saw a person standing and reading Salaah in this condition that both his feet were kept joined. He said that he has contradicted the Sunnat. If he made Muraawah, I would have approved of it more. (Nasa'i Vol.1 pg 103)

9. Between Hadhrat Abdullaah ibn Umar τ's feet there was no expansion nor were they joined together. He used to keep them between the two, not too close, nor too far. (Al Mugni Vol.2 pg 11)

From the above mentioned Ahaadeeth and Statements of the Sahaabah τ, the following matters are established.

a) When reading Salaat in Jamaat (congregation) then extreme care should be taken in the forming of the rows (Saffs). In such a manner that all the people should be standing joined together. There should be no empty spaces remaining in between. Everyone should be standing equally, not forward and back. The easiest method is to make the shoulders join. i.e. arm with the arm of the next person. Accordingly, Nabi ρ has mentioned the same method for the establishment of the rows. That make the shoulders equal, as it is clear in Hadith No.1. Hadhrat Baraa ibn Aazib τ said that Nabi ρ used to say when the rows of the people reading Salaat were straight, then he used to make the shoulders equal as it is apparent from Hadith No.2. (**On the contrary, to join with foot to foot is not established in any Hadith, not by action nor saying**).

b) The Khulafaa e Raashideen use to also place a lot of importance in the straightening of the rows. **Hadhrat Umar τ used to appoint a person to ensure that the rows were straight. Until this information of the rows being straight was not given to him, he would not say the takbeer. When the jamaat**

(congregation) used to stand, Hadhrat Uthmaan τ used to give the instruction of straightening the rows and making the shoulders equal. (He did not give the instruction of joining the feet). As it is clear in Hadith No.7 Hadhrat Ali τ at the time of straightening the rows used to say to the person who was a bit forward, go back and he used to say to the one who was a bit back, go forward. As it is clear from the explanation of Imaam Tirmizi (A.R.), but it is also not established from him that he gave the command of joining foot to foot.

c) In the Hadith (no.3) of Hadhrat Anas τ in which it is mentioned that every one from amongst us joined our shoulder and the shoulder of the next person and our foot and his foot was brought together. From this, the purpose was to show the great importance in the forming of the rows without any space remaining in between, not to literally join the feet together. The meaning is in the forming rows and standing together, we use to attach so much importance to it, that as though the foot of one person use to be joined to the foot of the other person. To support this is the saying of Nabi ρ in which he said, **that keep the necks equal.** Likewise is the saying of Hadhrat Nu'maan bin Basheer τ were he says he had seen that one person was standing shoulder to shoulder, knee to knee and ankle to ankle joined to the next person. Every person knows that for the rows (Saffs) to be rectified in this way that neck to neck, shoulder to shoulder, knee to knee and ankle to ankle joined is not possible, because of this, it will be said that the meaning of this is to show emphasis in the forming of the rows and the filling of the spaces. Accordingly, Haafiz ibn Hajar τ "The purpose of Imaam Bukhaari (A.R.) by the establishment of this chapter was to show the emphasis in the closing of the spaces and the straightening of the rows."

d) By way of explanation Hadhrat Anas and Nu'maan bin Basheer τ said that every one of them had done this. We come to know that in the era of Risaalat (prophethood) the forming of the rows was done in this manner. After which it did not remain. Supporting this is that Muhaddith Ismail (A.R.) had extracted in

his Mustakhrajj a narration from Hadhrat Ma'mar (A.R.) in which it is mentioned that Hadhrat Ma'mar (A.R.) narrates these words from Hadhrat Anas τ "If I did this with anyone today, then they would flee away like headstrong (شموص) mules." From here we come to know that this method of forming the rows had stopped in the time of the Sahaabah. This is also known that in the forming the rows, in the literal meaning ` to join foot to foot` is not sunnat. **If this was a sunnat, then the Sahaabah e Kiraam and the Great Taabi'een would have never left this, and nor would there** be so much contradiction with this action.

e) Hadhrat Abdullaah ibn Mas'ood τ saw a person standing and reading Salaah in this condition that both his feet were kept joined, he said: "He has contradicted the sunnat. If he made Muraawah, I would have approved of it more." Muraawahah is, to stand on one foot sometimes and then the other because of standing for long periods in Salaah. And this matter is obviously apparent here, that the manner of Muraawahah is that a little space is left between both the legs. Since Hadhrat Abdullaah ibn Mas'ood τ contradicted this manner of Salaah, why did he keep his feet together, instead he also contradicted this, that is why he did not make Maraawahah where by there is a little space between the two feet. From this contraction it becomes known that according to him the Sunnat is that the person reading Salaat should not totally keep his feet joined, nor should they be totally widespread, instead he should keep a moderate space between the two.

The action of Hadhrat Abdullaah ibn Umar τ was he never used to stand with his feet too wide open, nor totally closed together in Salaah. Instead, he use to stand according to the natural disposition like it is apparent from the narration in Mugni. The sayings and actions of two extremely great Sahaabah e Kiraam establishes that whosoever will keep his legs according to the Sunnat, should not join his feet to that of

the next person. Because, in this case between both the feet will be a lot of space.[1]

The jest of the discussion is that at the time the rows are being formed and straightened, the correct manner according to the Sunnat is that everyone should stand together with their shoulders joined, without any spaces remaining in between and without anybody being forward or backward in the row. There is no necessity that the feet be joined, because he himself will have created a deficiency in the most awkward form between the legs because his legs will buckle when joining the feet. Secondly, he would cause unnecessary difficulty. Accordingly it is apparent from this aspect. Thirdly, this too is contrary to humility. Fourthly, by doing this there is difficulty in performing ruku and sajdah. Fifthly, Emphasis on the straightening of the saffs is only in the beginning of the salaat, and in the manner where the legs are widespread by joining the foot of one person to that of another, this (i.e. the straightening of the rows) would be occurring at the beginning of every rakaat, which is contrary to the Sunnat.

However, contrary to the mentioned Ahaadeth, Statements of the Sahaabah e Kiraam, and all the explanations, according to the Ghair Muqallideen, it is Sunnat and necessary to join the foot of the person to that of the next in congregational Salaat.

Accordingly Hafiz Abdul Mateen Saheb Memon writes:

"Ghair Muqalliden i.e. the Ahle Hadeeth have understood that to stand in such a manner where the foot of one person is next to the foot of the next person is necessary and sunnat." (Hadeeth e Namaaz pg 48)

He further writes: - "It is distressing and sad that the Ahle Hadeeth slowly ruin their saffs by not placing the feet correctly. It should be

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[1] Jurist of the Hanafi Mazhab say that while standing there should be a space of four fingers, certainly this was the explaination of the actions abd sayings of the pious. And the Jurists have made this limit in order to make it easy for the people, although this limit is not (fardh) or waajib. Allaamah Ibn Aabideen Shaami (A.R.) has written "It is appropriate that between both legs should be the space of four fingers, because this is closer to Khushu (Humility) and It is narrated that Hadhrat Abu Anasar Adabusi use to do this.

such that how much place a person takes when sitting in Attahiyaat, that is how much of space he should keep both feet whilst standing. In this manner the saffs will on there own be complete like a wall without any deficiency. Woman should also form their saffs in the same manner that the foot and shoulder of one woman should be in line with the foot and shoulder of the next.

Conclusion:

Nabi ρ gave the command of joining the saffs by joining the shoulders and he ρ himself use to straighten the saffs by making the shoulders equal, not by giving the command of joining the feet, nor did he ρ join the feet of the people reading Salaat at the time of correcting the saffs.

The Khalif e Raashid, Hadhrat Uthmaan Ghani τ also gave the instruction of joining the shoulders at the time of Salaat, not that of the feet. Hadhrat Ali τ KarramAllaahu Waj ha use to tell those reading Salaat to go backwards and forwards at the time of correcting the saffs.

With all of these things, this is most certainly established, that the straightening of the saffs, the Sunnat is to make the shoulders equal. However, the saying of the Ghair Muqallids is that the joining of the feet is Sunnat, because in the Hadith the Sahaabah used to join the feet of one to that of the next person. Whereas the Muhditheen have used this to emphasis the forming of the saffs, not on the literal meaning of joining foot to foot. If for a little while we accept the saying of the Ghair Muqallids and take the joining of foot to foot literally, then too, the Ghair Muqallideen will wish that knees and the ankles also be joined, because Hadhrat Nu'maan bin Basheer τ has mentioned the joining of foot to foot, he has also mentioned the joining of knee to knee and ankle to ankle. The Ghair Muqallideen will wish that the necks too should be joined, because in the Hadith of Hadhrat Anas τ this is also mentioned. The Ghair Muallideen do not join the knees, ankles, or even the necks. They only stress on the joining of the feet, which is something that is not sunnat. By doing that a sunnat act is left out (i.e. the joining of the shoulders). By joining foot to foot, the shoulders will not join. The confusing thing is that the Ghair Muqalliden give the same command for the woman (i.e. the joining of

the foot of one person to that of another). When women join their feet like men, how strange will the shape be? (لا حول ولا قوة الا باالله)

We will leave you to decide, whether to leave out a Sunnat (masnoon) action in order to carry out an action which is not sunnat (ghair masnoon). Is this conforming or contrary to the Sunnat?

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(4) The Invalidation of Salaah by looking inside the Qur'an

1. It is narrated from Rifaa ibn Raafi that under the explanation of the (Hadith of the Bedouin) that Rasulullaah ρ said to him: "Make wudhu like how Allaah has commanded you, then give Azaan and thereafter Iqaamat. Then say Takbeer e Tahreemah. Then if you know anything of the Qur'an then recite it otherwise praise Allaah and make Takbeer and Tahleel (to say لا حول ولا قوة الا باالله)" (Abu Dawood Vol.1 pg 125, Tirmizi Vol.1 pg 66)

2. Hadhrat Abdullaah ibn Abi Aufaa τ said that one person came to Nabi ρ and said: "I am not able to remember anything from the Qur'an so because of this, teach me something that would suffice me. Nabi ρ said, say (سبحان الله والحمد لله ولا اله الا الله والله اكبر ولا حول ولا قوة الا باالله)" (Abu Dawood Vol.1 pg 126, Nasai Vol.1 pg 107 , Musnad e Ahmad Vol.4 pg 353)

3. Hadhrat Ibn Abbas τ said, the leader of the believers Ameer ul Mu'mineen Hadhrat Umar Farouq τ had prevented them to make Imaamat of the people (lead the people in Salaah) whilst looking inside the Qur'an Shareef and that they make anyone else except the mature as the Imam. (Kanzul Ummal Vol.8 pg 263)

4. Hadhrat Jaabir τ narrates that Hadhrat Aamir τ said that a person who looks in the Qur'an (whilst in Salaah) must not be made the Imaam. (Musanif ibn Abi Shaibah Vol.2 pg 339)

It is established from the above mentioned Ahaadeeth and Statements of the Sahaabah that to look inside the Noble Qur`an and recite whilst

in Salaat is not permissible. By doing this the Salaah becomes invalid. If looking in the Qur`an and reciting whilst in Salaah was permissible, then Nabi ρ would have given permission to the person that came and said that he is unable to remember anything from the Qur`an, and asked Nabi ρ to show him something else to read instead. Then certainly Nabi ρ would have told him that if you are unable to remember anything from the Qur`an then look inside the Qur`an and read whilst in Salaat. However, Nabi ρ never said this. Instead the questioner was told to read (سبحان الله والحمد لله ولا اله الا الله والله اكبر ولا حول ولا قوة الا بالله). In the same way, Nabi ρ taught a person how to read Salaah and then told him to memorize a portion of the Qur`an and to recite that portion in Salaah otherwise he should say (الحمد لله), (الله اكبر) (لا اله الا الله). If looking inside the Qur'an and reciting whilst in Salaah was correct, then Nabi ρ would have told this person that if you cannot remember anything from the Qur'an, then look in it and read (whilst in Salaah). However, Nabi ρ did not say this and prescribed other (اذكار) for him to read. This is a clear proof which establishes the fact that to look inside the Qura'n and recite during Salaah is incorrect. It is due to this reason that the Khalifa e Raashid Hadhrat Umar Farouq τ prevented the Sahaabah from looking inside the Qur'an and reciting during Salaah. This prevention of Hadhrat Umar Farouq τ is also a proof which establishes that to look inside and recite the Qur'an whilst in Salaah invalidates the Salaah.

Secondly, to look inside the Qur'an and recite comes under learning and teaching, which is contrary to Salaah.

Thirdly, to hold the Qur'an Shareef in one's hand, together with the turning of the pages is Amal e Katheer[1]. And Amal e Katheer invalidates the Salaah.

But despite all these Ahaadeeth, Statements of the Sahaabah τ, the Ghair Muallideen have gone contrary to this. They say, that to look inside the Qur'an and recite during Salaah is correct, so much so that even to hold it and turn the pages during Salaah is correct.

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[1] Amal e Katheer is that action which if a person is seen doing, by an onlooker then the impression created is that one cannot be in Salaah.

Accordingly Nawaab Waheed ul Zamman writes:-

"That to there is no harm to look inside the Qur'an and read during Salaah even though the Qur'an is kept in one or both hands and the pages are turned, equally whether it is obligatory or in optional prayers. Similarly, there is also no harm to look inside the Qur'an and correct the Imaam." (Nuzul ul Abraar Vol.1 pg 110)

He further writes:-

"It is also not makrooh or disliked if the Imam has to look inside and read from the Qur'an and turn the pages with his fingers."

Conclusion:

Despite there being a necessity, Nabi ρ did not give the command to do this. That which the Khalifa e Raashid Umar Farouq τ prevented and the Taabi'een as well as the Tab e Taabi'een understood to be correct, these Ghair Muqallideen have declared it to be correct without any dislike (karaahat). If he wishes for Salaah continue, it continues. The decision is yours, is this conforming or contrary to the Ahaadeeth?

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(5) The Permissility of reading the Sunnat of Fajr at the time the Imam stands up to perform the (Fardh)

1. Hadhrat Ayesha τ said that Nabi ρ stated that the two rakaats of Fajr is better than the world and whatever is in it. (Muslim Vol.1 pg 251)

2. Hadhrat Ayesha τ said that Nabi ρ was never more particular with anything else from the nawaafil than with the punctuality and proctecting of the two rakaats of Fajr. (Bukhaari Vol.1 pg 156), (Muslim Vol.1 pg 251)

3. Hadhrat Abu Hurairah τ said that Nabi ρ stated that do not leave out the two rakaats of fajr even though horses trample on you. (Abu Dawood Vol.1 pg 178)

4. Hadhrat Abu Ishaaq τ says that Hadhrat Abdullaah τ the son of Hadhrat Abu Musa (Al Ashari) τ informed me from his father that one time Hadhrat Saeed ibn Aas τ called them. He called Hadhrat Abu Musa Ashari τ, Hadhrat Huzaifah τ, Hadhrat Abdullaah ibn Mas'ood τ before the fajr Salaah. Thereafter when they came away from him, the Jamaat for Salaah had already stood up. Hadhrat Abdullaah ibn Mas'ood τ sat by a pillar in the Masjid and read two rakaats and then joined the Salaah. (Tahaawi Vol.1 pg 257)

5. Hadhrat Abdullaah ibn Abi Musa Ashari τ said that Hadhrat Abdullaah ibn Mas'ood τ came to the Masjid whilst the Imam was reading the Fajr. He read the two Sunnats of Fajr which he had not read before. He read this concealed behind a pillar. (Mu'jam Tabraani Kabir Vol.9 pg 277)

6. Hadhrat Abdullaah ibn Mas'ood τ reports from Hadhrat Abdullaah ibn Abu Musa Ashari τ that he entered into the Masjid (at the time of fajr) whilst the Imam was in Salaah. Then first he read the two rakaats Sunnats of Fajr. (Tahaawi Vol.1 pg 257)

7. It is narrated from Hadhrat Haarith ibn Mudrab τ that Ibn Mas'ood τ and Abu Musa Ashari τ came from Hadhrat Saeed ibn Aa`s τ whilst the Jamaat for Fajr had stood up. Hadhrat Abdullaah ibn Mas'ood τ first read two rakaats Sunnat of Fajr and then joined the Jamaat and Hadhrat Abu Musa Ashari τ entered the saff straight away. (Musanif ibn Abi Shaibah (Vol.2 pg 251)

8. Hadhrat Maalik ibn Mugawal (A.R.) said that he heard Hadhrat Naafi` (A.R.) say: "I woke Hadhrat Abdullaah ibn Umar τ up for Fajr Salaah when the Jamaat had already stood up. He woke up and first read two rakaats." (Tahaawi Vol.1 pg 258)

9. Hadhrat Muhammad ibn Ka`b Qurazi (A.R.) said that Hadhrat Abdullaah ibn Umar τ left his house whilst the Jamaat for Fajr Salaah had already stood up. He read two rakaats (i.e. Sunnat of Fajr) on the way before he entered the Masjid and thereafter joined the Jamaat and read the Fajr Salaah with the people. (Tahaawi Vol.1 pg 258)

10. Hadhrat Zaid ibn Aslam (A.R.) narrates from Hadhrat Abdullaah ibn Umar τ that he came for Fajr Salaah whilst the Imam was reading the Salaah. He had not yet performed his two Sunnat of Fajr, therefore he performed his two Sunnats of Fajr in the room of Hadhrat Hafsah τ and thereafter joined the Jamaat for Fajr. (Tahaawi Vol.1 pg 258)

11. Hadhrat Abu Mujliz (A.R.) said that he entered the Masjid for Fajr Salaah with Hadhrat Abdullaah ibn Umar and Hadhrat Abdullaah ibn Abbas τ whilst the Imam was performing the Salaah i.e. (Fardh) Salaah. Hadhrat Abdullaah ibn Umar τ entered in the saff however Hadhrat Abdullaah ibn Abbas τ read two rakaats Sunnat of Fajr whilst the Imam was engaged in the Salaah. **When the Imam made Salaam then Hadhrat Abdullaah ibn Umar sat in his place and waited for the sun to rise. He thereafter stood up and performed two rakaats.** (Tahaawi Vol.1 pg 257)

12. Hadhrat Abu Uthmaan Ansaari τ said that Hadhrat Abdullaah ibn Abbas τ came to the Masjid (for Fajr Salaah) whilst the Imam had began the Salaah. He had not yet read the two rakaats Sunnat of Fajr, therefore he first read two rakaats Sunnat of Fajr behind the Imam and thereafter joined the congregation of people. (Tahaawi Vol.1 pg 258)

13. Hadhrat Abu Darda τ narrates that he came to the Masjid when the people were standing to form the saffs. He performed the two rakaats Sunnat of Fajr in one corner of the Masjid and then joined the people in Salaah. (Tahaawi Vol.1. pg 258)

14. Hadhrat Abu Uthmaan An Nahdi said: "We came to Hadhrat Umar τ before we read the two Sunnats of Fajr Salaah whilst he was reading Salaah. We then read the two Sunnats of Fajr in the back of the Masjid and thereafter joined the people in their Salaah." (Tahaawi Vol.1 pg 258)

15. Hadhrat Husain (A.R.) narrates that he heard Hadhrat Imam Sha`bi (A.R.) saying that Hadhrat Masrooq (A.R.) came to the people whilst they were engaged in Salaah. He had not yet read the two Sunnats of Fajr, he read the two rakaats Sunnat of Fajr in the Masjid and thereafter joined the people in their Salaah. (Tahaawi Vol.1 pg 258)

16. It is narrated that Hadhrat Hasan Basri (A.R.) said: "When you enter the Masjid and you have not yet read the two Sunnats of Fajr, first read the two Sunnats even though the Imam is already reading the Salaah. Thereafter join the Imam in his Salaah." (Tahaawi Vol.1 pg 258)

17. Hadhrat Hashim (A.R.) said that Hadhrat Yunus (A.R.) informed us that Hadhrat Hasan Basri (A.R.) stated that the two rakaats of Sunnats should be read in a corner of the Masjid and thereafter the congregation of Salaah should be joined. (Tahaawi Vol.1 pg 258)

18. Hadhrat Saeed ibn Jubair (A.R.) narrates that he came to the Masjid whilst the Imam was reading the Salaah. He read the two Sunnats of Fajr by the door of the Masjid before he entered. (Musanif ibn Abi Shaibah Vol.2 pg 251)

19. Hadhrat Mujaahid (A.R.) said that when you enter the Masjid whilst the people are engaged in the Fajr Salaah (Jamaat) and you have not read the two Sunnats of Fajr, then first read it, even though you think that you have already missed the first rakaat. (Musanif ibn Abi Shaibah Vol.2 pg 251)

20. Hadhrat Ali τ said that Nabi ρ read the two rakaats at the time of Iqaamat (Ibn Majah pg 81)

21. Hadhrat Ali τ said that Nabi ρ read the two Sunnats of Fajr at the time of Iqaamat. (Musnad e Ahmad Vol. pg 77)

22. Hadhrat Maalik (A.R.) narrates from Hadhrat Hishaam (A.R.) the son of Hadhrat Urwa (A.R.) that his father Urwa (A.R.) narrated that Hadhrat Abdullaah ibn Mas`ood τ said: "It did not worry me if the Iqaamat of Fajr Salaah took place whilst I was performing my Witr Salaah." (Mua`tta Imam maalik pg 111)

23. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Yahya bin Saeed (A.R.) who said that Hadhrat Ubaadah ibn Saamit τ made Imaamat for people. One day he came out to perform the Fajr Salaah and the Mua`zzin had already given the Iqaamat for the Fajr Salaah, he made him keep quiet until he had completed the Witr and thereafter performed the Salaah. (Mua`ta Imam Maalik pg 111)

24. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Abdur Rahmaan ibn Qaasim (A.R.) that he heard Hadhrat Abdullaah ibn Aamir ibn Rabi`ah τ saying that: "I read the Witr Salaah even though I could hear the **Iqaamat or after Fajr**." From the side of Hadhrat Abdur Rahmaan ibn Qaasim (A.R) there is doubt that Hadhrat Abdullaah ibn Aamir ibn Rabi`ah τ said this. (Mua`tta Imam Maalik pg 111)

25. It is narrated from Hadhrat Abu Hurairah τ that Nabi ρ said that it is not permissible to perform any Salaah whilst the Iqaamat is going except the (Fardh) of that Salaah with the exception of the two Sunnats of Fajr. (which is permissible) (Sunan e Kubrah Baihaqi Vol.2 pg 483,) Shaikh Uthmaan (A.R.) has said after the discussion of his chain of narrations (Isnaad) that this chain of narraition is also Hasan – (I`laa us Sunan Vol.7 pg 9)

It is established from the above mentioned Ahaadeeh and Statements of the Sahaabah that if a person had come for Fajr Salaah (and he had not yet read his Sunnats) whilst the Jamaat had already stood up for the (Fardh). Then if he has certainty that he will get the second rakaat with the Jamaat if he reads the Sunnats first, then either in some place

outside of the Masjid, by the door of the Ka`bah, in a corner of the Masjid or concealed behind a pillar separated from the saffs he should go and read the two Sunnats of Fajr and thereafter join the Jamaat.

Firstly, it is because of the great emphasis that Nabi ρ had mentioned regarding it.

Secondly, it was also the practise of the Sahaabah e Kiraam. For example the practise of great Sahaabah e Kiraam such as Hadhrat Abdullaah bin Mas`ood τ, Hadhrat Abdullaah bin Umar τ, Hadhrat Abdullaah ibn Abbas τ and Hadhrat Abu Darda τ and Great Taabi`een such as Hadhrat Abu Uthmaan Nahdi, Hadhrat Masrooq, Hadhrat Saeed ibn Jubair (A.R.) was that if they had come to the Masjid whilst the Jamaat had already stood up and they had not yet read their Sunnats of Fajr, then first they use to read their Sunnats of Fajr and thereafter join the Jamaat. Hadhrat Hasan Basri and Hadhrat Mujaahid (A.R.) had given this Fatwa that if a person did not read his Sunnats of Fajr and had come to the Masjid whilst the Jamaat had already stood up, then if he wants to he can read it before he joins the Jamaat. As it is clearly mentioned in Hadith in 16 and 19. Likewise it is apparent from Hadith number 20 and 21 that one had read his Sunnats of Fajr even at the time of Iqaamat of Salaat. In Hadith number 23 and 24 it is known that Hadhrat Abdullaah ibn Mas`ood, Hadhrat Ubaadah ibn Saamit, Hadhrat Abdullaah ibn Aamir ibn Rabee`ah τ that they also read Witr at the time of Iqaamat.

However, contrary to all the Ahaadeth and statements of the Sahaabah, the Ghair Muqalliden say that to read the two Sunnats of Fajr after the Jamaat has stood up (without any explanation) is not permissible, it is disobedience to Allaah Ta`ala and his Rasul ρ and the punishment for disobedience is Jahannam.

Likewise, Hakeem Saadiq Sayaalkauti Saheb writes:-

"Besides the disobedience of the Rasul of Allaah ρ, if they were to read the Sunnats in the presence of the Jamaat, what else would it be? When Nabi ρ has said that there is NO salaat and negated every Salaah." (Salaat e Rasul. pg 42)

Abdus Sattar the Mufti of a strange group of Ahle Hadith had written the following answer to a question. Both of which are amazing.

Question: Zaid says that once the Fajr Salaah has begun then there is no other Salaah. Bakr says that if a person comes to the Masjid for fajr whilst the Salaah is on, then if he wants he can read the Sunnats of Fajr and thereafter join the Jamaat. Who`s opinion is correct?

Answer: What Zaid says is correct. Bakr is incorrect, instead most incorrect. It is in the Hadith Shareef that (اقيمت الصلوة فلا صلوة الا المكتوبة) which means when the Takbeer for the (Fardh) Salaah takes place, then there should be no other Salaah. This Hadith means every person who reads the Sunnats of Fajr when the Fajr is on, is in the disobedience of Allaah and his Rasul ρ like how it is a custom today in the Jamia Masjid of the Ahnaaf especially at the time of fajr. This is total disobedience of Nabi ρ. And the punishment of disobedience is Jahannam. (ومن يعص الله و رسوله و يتعدّد حدوده يدخله نارا خالداً فيها وله عذاب مهين) (Fataawa Sataariyya Vol.3 pg 40)

Nawaab Waheed ul Zamaan writes:-

"It is not permissible to begin any Salaah when the Iqaamat for the (Fardh) Salaah has gone. And this command is no different for the Sunnats of the other Faraaid and the two Sunnats of Fajr. And nor does the reading of the Sunnats by the door of the Masjid or even outside of the Masjid make a difference." (Nuzul ul Abraar Vol.1 pg 132)

Conclusion:

From Sahih Ahadeeth, actions of Senior Sahaabah e Kiraam and Great Taabi`een, this is being established, that if a person has to come to the Masjid for Fajr whilst the Jamaat is on and if he had not yet performed the two Sunnats of Fajr, then he should first read the Sunnats and thereafter join the Jamaat. Hadhrat Hasan Basri (A.R.) and Hadhrat Mujaahid (A.R.) haven given the Fatwa upon this. However, the Ghair Muqallideen without thought or understanding are giving this Fatwa

that this is not permissible and it is disobedience of the Rasul of Allaah ρ.

What? Were the instructions and orders of Nabi ρ not in front of the Sahaabah e Kiraam and Great Taabi`een? Did they understand the Ahaadeth to be a joke? Where the Sahaabah and Taabi`een disobedient to the Rasul of Allaah ρ? Was the narrating of all these impermissible acts not Kufr rendering them as Jahannamis? Respected readers, think a little! Who gave this Fatwa? Who are opposing these Fataawa? Is this what is called acting upon the Ahaadeeth? That the Sahaabah and Taabi`een understood one action to be permissible and they fearlessly declare it as impermissible. Honoured readers now you yourself decide, Is this conforming to the Hadith? Or contradicting it?

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(6) To read Nafl Salaah before Maghrib is not Masnooon

1. Hadhrat Taa`oos (A.R.) said that Hadhrat Abdullaah ibn Umar τ was asked regarding the reading of two rakaats before Maghrib. He replied that he had not seen anyone read these two rakaats in the time of Nabi ρ nor did he see anyone being permitted to read two rakaats after Asr Salaah. (Abu Dawood Vol.1 pg 182)

2. Hadhrat Hammaad (A.R.) said that he asked Hadhrat Ibrahim Nakha`ee (A.R.) regarding the reading of Salaat before Maghrib. He prevented me from this and said that Nabi ρ, Hadhrat Abu Bakr τ and Hadhrat Umar τ did not read this. (كتاب الاثار للامام ابى حنيفة برواية الامام محمد pg 32)

3. Hadhrat Ibrahim (A.R.) said that Hadhrat Abu Bakr τ, Hadhrat Umar τ and Hadhrat Uthmaan τ did not read two rakaats before Maghrib Salaah. (Musanif Abdul Razzaaq Vol.2 pg 435)

4. Hadhrat Saeed ibn Musayyib (A.R.) said that the Muhaajireen τ never used to read two rakaats Nafl before Maghrib, nor did the Ansaar τ do this. (Musanif Abdul Razzaaq Vol.2 pg 435)

5. Hadhrat Abdullaah ibn Buraidah τ narrates from his father that Nabi ρ said that between every two Azaans is a Salaah, besides that of Maghrib. (كشف الاستارعن زوائد مسند البزار Vol.1 pg 334)

6. Hadhrat Jaabir τ said that they asked the pure wives of Nabi ρ as to whether Nabi ρ read two rakaats of Nafl Salaah before Maghrib? They replied, in the negative, besides Hadhrat Umme Salma τ, she said: "Once Nabi ρ read two rakaats by me." She then asked Nabi ρ as to which Salaah that was. Nabi ρ said that he had forgotten to read two rakaats before Asr Salaah, so that is what he had read.
(رواه الطبرانی في كتاب مسند الشاميين, بحواله نصب الرواية Vol.2 pg 141)

7. Hadhrat Abdullaah ibn Buraidah τ said that Hadhrat Abdullaah ibn Mughaffal τ narrated this Hadith to me from Nabi ρ, that Nabi ρ said: "Read Salaah before Maghrib," the third time Nabi ρ said, for whoever wished, out of dislike that the people will take it as a Sunnat. (Bukhaari Vol.1 pg 157)

8. Hadhrat Murthad ibn Abdullaah Yuzani (A.R.) said that he went to Hadhrat Uqbah ibn Aamir Juhani τ and said: "Shall I tell you an astonishing thing about Abu Tameem? He reads two rakaats before the Salaat of Maghrib." Hadhrat Uqbah τ said that in the era of Nabuwaat they used to also do this. I then asked him as to what prevents them now? He said occupation. (Bukhaari Vol.1 pg 158)

9. Hadhrat Saa`ib ibn Yazid τ narrates that Rasulullaah ρ said : "My Ummat will always remain upon its nature so long as they read the Maghrib Salaah before the stars come out." (Majma us Zawaa`id Vol.1 pg 310)

10. Hadhrat Abu Ayoob τ said that Rasulullaah ρ performed the Salaah of Maghrib at the time of the breaking of fast of the fasting person and let it precede the coming out of the stars. (i.e. read it before the stars come out) this narration has also been mentioned by Imam Ahmad. The wording of the Hadith

narrated in Tabraani is that he ρ read Maghrib Salaah after the setting of the sun. (Majma us Zawaa`id Vol.1 pg 310)

From the above mentioned Ahaadeeth, statements of the Sahaabah τ the following matters are established:-

a) That to read two rakaats of Salaah before that of Maghrib is not Masnoon (sunnat) because Nabi ρ did not do so.
Accordingly, it is clear from Hadith number 7 of Bukhaari Shareef.

b) To read two rakaats of Nafl Salaah before Maghrib is not established from Nabi ρ or the Khulafaa e Raashideen, as it is apparent from Hadeeth numbered 1,2,3,4.

c) "Nabi ρ said that between every two Azaans (i.e. Azaan and Iqaamat) is a Salaah" excluding the Salaah of Maghrib, like how it is evident in Hadith number 5.

d) In the early era, the Sahaabah e Kiraam used to read this Nafl Salaah, but during the latter time this was completely left out. Therefore it is known from Hadith number 8 of Bukhari Shareef that Hadhrat Murshid ibn Abdullaah Yuzani (A.R.) had seen Hadhrat Abu Tameem Abdullaah ibn Maalik (A.R.) read this Nafl and had become astonished. He went to Hadhrat Uqbah ibn Aamir τ and said : "Shall I tell you about the astonishing thing of Abu Tameem? He read two rakaats before the Salaah of Maghrib." Hadhrat Uqbah ibn Aamir τ had given this answer to his astonishment that we also used to read this in the era of Nabuwaat. It is clearly known from this narration that in the time of the Sahaabah and Taabi`een this Nafl was left out, otherwise he would have not been astonished on coming to know of them reading it.

e) Nabi ρ had emphasised the performing of the Maghrib Salaah quickly.

In the light of these Ahaadeeth and statements of the Sahaabah, the Jurists said that it is not Sunnat to read two rakaats before Maghrib Salaah, instead if anyone understands this to be Sunnat, then in this case it will be makrooh, because Nabi ρ himself had decided it to be makrooh for those who understood it as Sunnat.

Secondly, if anyone has to delay the Maghrib Salaah due to the attachment of these Nafl, then because of the delaying of the Maghrib it will be makrooh. Contrary to all of these Ahaadeeth and statements of these Sahaabah and according to the Ghair Muqallideen to read two Nafl before the Maghrib Salaah is Sunnat, not only this, but that person who does not understand these two Nafl before Maghrib as Sunnat is a Zaalim (oppressor) and Innovator.

Therefore Abdur Rahmaan Mubaarak Puri Saheb writes:-
"To read two rakaats before Sunnat Salaah before Maghrib is established from Sahih (authentic) Ahaadeeth, which should be read between the Azaan and Iqaamat … .

Upon the completion of the Azaan of Maghrib without hesitation one should read Durood until the end of اللهمّ رب هذه الدعوت التامه then he should begin to make the Sunnat and the Sunnats of Maghrib should be read just like that of Fajr (i.e.short)." (Fataawa Ulama e Hadith Vol.4 pg 232)

The Shaikh ul Hadith of Daar ul Hadith Rahmaaniyya in Delhi, Molvi Ahmadullah Saheb said that a person who prevents the one from reading the two Sunnat before Maghrib or does not understand it to be Sunnat is a Zaalim (oppressor) and Bid`ati (innovator). (Fataawa Ulama e Hadith Vol.4 pg 235)

Conclusion:

Those Nawaafil which are not established from Nabi ρ himself and the Khulafaa e Raashideen, those which Nabi ρ himself had decided to be makrooh for those that understood the reading of it to be Sunnat, those very Nawaafil according to the Ghair Muqallideen are Sunnat and

those who do not understand it to be Sunnat are Zaalims (oppressors) and Bidatis (innovators).

Respected readers, think, what is the Fatwa of these Ghair Muqallideen being based on? Did not Nabi ρ himself prevent us from understanding these nawaafil to be Sunnat?

The strange thing is that these people are placing a Fatwa without even thinking that who it is opposing? The condition of deduction is such that whatever comes in the mouth they say it.

The decision is yours. Is this conforming to the sunnat or contradicting it?

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(7) That Salaah which had become Qazaa without an excuse or with an excuse, to fulfil it is necessary.

1. It is narrated from Hadhrat Anas ibn Maalik τ that Rasulullaah ρ said that the person who forgot to read a Salaah, or stayed asleep, then he should fulfil it when he remembers. There is no Kaffarah for it except that. (i.e. besides the fulfilling of that Salaah). In this hadith, Hadhrat Qataadah has also mentioned these words " واقم الصلوة لذكرى , that establish Salaah for My remembrance." (Bukhaari Vol.1 pg 84, Muslim Vol.1 pg 241, and the words are from Muslim)

2. Hadhrat Anas ibn Maalik τ said that Nabi ρ said whosoever forgot to read Salaah or stayed asleep, then the Kaffaarah for it is that he must read it when he remembers it. (Muslim Vol.1 pg 241)

3. Hadhrat Anas ibn Maalik τ said that Nabi ρ said, when any one of you stays asleep or due to negligence lets a Salaah remain, then he should read it when he remembers, because Allaah (الله عز و جل) said that establish Salaah for My remembrance. (Muslim Vol.1 241)

4. It is narrated from Hadhrat Jaabir ibn Abdullaah τ that Hadhrat Umar ibn Khattaab τ had come during the the battle of trench on the day the trench was going to be dug, after the sunset and had began to reproach the kuffaar. He said that O Rasulullaah ρ I did not read Asr Salaah until the sun had come close to setting. Nabi ρ said I also did not read Asr, then we reached Maqaam e Bathaan (name of place). Nabi ρ made whudhu and we also made whudhu for Salaah. Nabi ρ performed Asr Salaah after the sun had set and thereafter performed the Maghrib Salaah. (Bukhaari Vol.1 pg 83, Muslim Vol.1 227)

5. Hadhrat Abu Ubaidah (A.R.) narrates from his father Hadhrat Abdullaah ibn Mas`ood τ that he said that on the occasion of the Battle of Trench, the Mushrikeen had kept preventing Nabi ρ from reading four Salaahs so much so that whatever portion of the night Allaah had wished to pass had passed. Then Nabi ρ commanded Hadhrat Bilal τ (to give the Azaan). He gave the Azaan and thereafter the Iqaamat. Then he read Zohr, thereafter gave Iqaamat, read Asr, thereafter gave Iqaamat, read Maghrib and called out Iqaamat again and thereafter read Isha Salaah. (Tirmizi Vol.1 pg 43)

6. It is narrated from Hadhrat Abdullaah ibn Umar τ that he had said, whosoever forgot to read a Salaah, and then he remembered it whilst he was standing with the Imam for another Salaah. Then when the Imam turns to make salaam, then he should read the Salaah, which he first forgot and thereafter read the second Salaah. (Mua`tta Imam Maalik pg 155)

From the Mubaaarak Ahaadeeth mentioned, two things are established,

One is that whichever Salaah which are made Qadhaa deliberately, or unintentionally or due to remaining asleep, then it does fall off from his responsibility. Instead, to fulfil it is necessary.

Nabi ρ has given the command to perform those Salaah which were made Qadhaa due to forgetfulness or remaining asleep. Based on this the fulfilment of it is necessary. From here it is known that those Salaah which have been made Qadhaa without those excuses, to fulfil them is also necessary. When excuses (such as remainig asleep or forgetting) make the fulfilling of the Qadhaa necessary, then obviously to fulfil those Salaah which were made Qadhaa intentionally will also be necessary.

The second thing is this, that Allaah Ta`aala says "اقيموا الصلوة" (Establish Salaah), which includes these cases (when the time of Salaah comes in) as well as these cases also (when the Salaah was made Qadhaa) for whatever reason, Salaah nevertheless should be read, whether it is to be fulfilled in its time, or whether Qadhaa should be made of it, if it was not read in its time. Because in the case where a Salaah is not fulfilled, then upon the servant there will be one debt of Allaah remaining and it is apparent that without the fulfilment of a debt it does not fall of ones responsibility. Because of this Salaah will also not fall off ones responsibility until it is fulfilled, whether done in its time, or as a Qadhaa. Nabi ρ has said: - **"Fulfil the debt of Allaah. It is more rightful in being fulfilled." (Nasa`i Vol.2 pg 2). He ρ further said: "The debt of Allaah has more right that is will be fulfilled."**

Imam Nawawi (A.R.) said: - "This hadith, is a proof that the (Fardh) Salaah which is missed, to make Qadhaa of it is necessary, whether that Salaah was missed with an excuse eg: He had slept away or had forgotten, or without an excuse. The reason of the restriction of forgetting in this Hadith is that this Hadith is explanation for the same cause. And because of this also, when Qadhaa is Waajib on a person with an excuse, then obviously it will Waajib to make Qadhaa also for a person without an excuse. (This is from the chapter of warning from the highest to the lowest.) A saying of Nabi ρ is that "He should fulfil it when he remembers" This is carried upon Istihbaab (i.e. where the carrying out of an action is meritorious, but the leaving out of which is not an offence.) Because, to fulfil a Salaah which was missed due to an excuse is also permissible, according to the authentic saying of which the explanation and proof has already passed. Some of the Ahle Zaahir

have deviated by saying that those Salaah which were missed without an excuse, to make Qadhaa of it is not waajib. And he thought it is better to make Qadhaa of the missed Salaah in this way that by a person fulfilling the qadhaa of the missed Salaah, he is removed from the disobedience of it. This is an error from the one who said it and ignorance." (Nawawi Vol.1 pg 238)

The Qadhaa of a missed Salaah is also necessary according to the consensus of the Ummat, Therefore Allaamah Muhaamad ibn Abdur Rahman Shaafi`ee writes:- "واتفقوا على وجوب قضاء الفوائت" (Rahmatu Ummat pg 46)

The second thing is this that if the Salaah of many times becomes Qadhaa, then they should be fulfilled in sequence. Like how on the occasion of the battle of trench, three Salaahs of Nabi ρ and his Sahaabah τ were made Qadhaa, i.e. Zohr, Asr, and Maghrib, and at the time of Esha he began making qadhaa. He ρ read those Salaahs in sequence, first Zohr Salaah, then Asr Salaah and then Maghrib Salaah and thereafter Esha Salaah. It was not like this, that since it was the time of Esha Salaah, therefore he read Esha Salaah first and thereafter read the Qadhaa Salaahs. From this action of Nabi ρ this is established that if the Qadhaa Salaahs are few, i.e. five or less than five, then the missed Salaahs will be fulfilled in sequence first before the Salaah of which time has come in. i.e. first fulfil the Qadhaa Salaahs and then read the Salaah of that time. Because of this, if any Salaah of the time has to be read without reading the missed Salaah, then the Salaah of the time will not be fulfilled. He should first read the Qadhaa Salaah and repeat the Salaah of the time. Hadhrat Abdullaah ibn Umar τ has given this Fatwa as it is apparent from Hadith number four. (Of course, this much is necessary to understand, that regarding the missed Salaah and Salaah of the time this sequence will apply to a Saahib e Tarteeb)

However, despite all these ahaadeeth, and the consensus of the ummat, contrary to this, the Ghair Muqallideen are saying that those Salaahs which were deliberately omitted, there is no Qadhaa for it and only Taubah and Istighfaar is sufficient. Therefore, Yunus Delwi Saheb writes:-

"If any Salaah was left out deliberately, and he wishes to make Qadhaa of it, I take an oath that Qadhaa of Salaahs are not established from hadith, instead, for such a person, Taubah and Istighfaar are sufficient." (Dastoor e Muttaqi pg 149)

Haafiz Abdullaah Roopari Saheb wrote: "After maturity, if there are few Salaahs which can be fulfilled with ease, should be fulfilled. If it is over a long period which to fulfil is difficult, then here it is sufficient." (Fataawa e Ahle Hadith Vol.1 pg 415)

Mufti Abdus Sattaar Saheb, the previous Imam of the Jamaat of the poor Ahle Hadith writes:-

"But the question is this, that why is there Qadhaa Salaah? The original is that in the beginning there was no command of making Qadhaa for the deliberate omitting of Salaah nor is there any case of this. Man sleeps, when he is awake then that is the time for it, if he forgets, when he remembers, then that is the time for it, if he is unconscious, when he gains consciousness then that is the time for it. Then where is the case of Qadhaa. The reality is based on carnal desires, it is left out of which there is no Qadhaa and the offence of which is that he becomes a Kaafir. For this reason to beocme a Muslim he must make Taubah." (Fataawa e Sataariyya Vol.4 pg 154)

Gahir Muqallideen Shaikh ul Hadith Ismaeel Salafi Saheb wrote based on the different cases of leaving out Salaah: "In the first case where there is no excuse, due to carelessness he left out Salaah deliberately, this falls under "ترك", for which there is no qadhaa. This is included in "من ترك الصلوة متعمداً", besides Taubah e Nasooh there is no other remedy. (Rasul e Akram ki Namaaz pg 115)

Conclusion:

The authentic ahaadeeth establishes this that if any Salaah is missed with or without an excuse to make Qadhaa of it is necessary. Nabi ρ has given the command for the fulfilling of it. Upon this is also the consensus of the Ummat (اجماع امت). However the Ghair Muqallideen

are saying that no! there is no Qadhaa for a Salaah which was missed intentionally, only Taubah and Istighfaar are sufficient.

You decide, is this according to the Ahaadeeth or contrary to it? Remember that the Ghair Muqallideen regarding this mas`ala are following Dawood Zaahiri as it is apparent from the explanation of Imam Nawai (A.R.)

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(8) Wudhu is a condition for Sajdah e Tilaawat, without wudhu, Sajdah e Tilaawat is not permissible.

1. Hadhrat Abdullaah ibn Umar τ narrates from Nabi ρ that he ρ said, no Salaah will be accepted without wudhu. (Tirmizi Vol.1 pg 13)

2. Hadhrat Naafi` narrates from Hadhrat Abdullaah ibn Umar τ that Nabi ρ said that no person should make Sajdah e Tilaawat without wudhu (Baihaqi Vol.2 pg 325)

From the two mentioned Ahaadeeth e Mubaarakah this is being established that to make Sajdah e Tilaawat wudhu is a condition. Without wudhu, Sajdah e Tilaawat is not permissible. Sajdah e Tilaawat is from Salaah, just as in the same way as intention is a condition for Salaah, the covering of the sattar (private parts) is also a condition, the facing of the Qiblah is also necessary, in it is Takbeer (to say Allaahu Akbar) and Tasbeeh (to say Subhan Allaah) also, Nabi ρ said that no Salaah will be accepted without the wudhu.

When wudhu is a condition for Salaah, it will also be for Sajdah e Tilaawat, because it is from Salaah, wudhu will be necessary. In the same manner that is not permissible to read Salaah without wudhu, similarly it will also not be permissible to make Sajdah e Tilaawat without wudhu. It is for this reason that Hadhrat Abdullaah ibn Umar τ gave the Fatwa upon this that any person without wudhu cannot make Sajdah e Tilaawat.

But the Ghair Muqallideen say that which is contrary to these two Ahaadeeth e Mubaarakah, that to make Sajdah e Tilaawat without wudhu is permissible.

Therefore the Shaikh of the Ghair Muqallideen Yunus Delwi Saheb writes: "To make this Sajdah with wudhu is better, however to make it without wudhu is permissible and correct." (Dastoor e Muttaqi pg 123)

Nawaab Waheed uz Zamaan writes: "And Sajdah e Tilaawat without wudhu is also perrmissilble, however to make it with wudhu is Mustahab (preferable). (Nuzulul Abraar Vol.1 pg 146)

This Fatwa of Sajdah e Tilaawat being permissible without wudhu is also found in Fataawa e Nazeeriyya Vol.1 pg 571 upon which the Akaabir (elders) of the Ghair Muqallideen e.g. Mia Nazeer Hasan Saheb, Molwi Abdus Salaam Saheb, Muhammad Abul Hasan Saheb, Muhammad Husain Batalwi Saheb etc. endorsement is found.

Conclusion:

Nabi ρ's general saying establishes that to make Sajdah e Tilaawat without wudhu is not permissible, A Senior Sahaabi Hadhrat Abdullaah ibn Umar τ is giving the Fatwa that no person without wudhu must make Sajdah e Tilaawat. How can there be any other reason or way besides this, that Sajdah e Tilaawat without wudhu is not permissible. But the Ghair Muqallideen are saying that no! For a person to make Sajdah e Tilaawat without wudhu is also permissible.

Respected reader, you decide, Is this conforming to the hadith, or contradicting it?

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(9) A Musaafir will continue to make Qasr Salaah until he makes intention to stay in one place for fifteen days.

1. Hadhrat Mujaahid (A.R.) said that when Hadhrat Abdullaah ibn Umar τ decided to stay for fifteen days he dismounted the

saddle of the horse and performed four rakaakts of Zohr Salaah. (Musanniff ibn Abi Shaibah Vol.2 pg 455)

2. It is narrated from Hadhrat Mujaahid (A.R.) that when Hadhrat Abdullaah ibn Umar τ, decided to stay in Makkah Mukarramah for fifteen days, then he dismounted from the saddle of the horse and performed four rakaats. (كتاب الحجة للامام محمد - Vol.1 pg 170)

3. Hadhrat Mujaahid (A.R.) narrates that Hadhrat Abdullaah ibn Umar τ said, when you are a traveller, and made a place to stay in for fifteen days, then read the entire Salaah, and if you are not sure (how many days you will be staying there for) then make qasr. (كتاب الآثار للامام ابي حنيفة برواية الامام محمد – pg 39)

4. Hadhrat Mujaahid (A.R.) narrates from Hadhrat Abdullaah ibn Umar τ and Hadhrat Abdullaah ibn Abbas τ that they said, when you make intention to stay for fifteen days, then read the entire Salaah. (Jaami ul Masaateed Vol.1 pg 404)

5. Hadhrat Saeed ibn Musayyab (A.R.) said when you come to any town to stay for fifteen days then read the entire Salaah. (Kitaabul Hujjah Vol.1 pg 171)

It is established from the mentioned ahaadeeth and statements of the Sahaabah ρ that a traveller, if he intends to stay in a place for fifteen days or more, then he should read the entire Salaah and not make Qasr, otherwise he will make Qasr. Senior Sahaabah e Kiraam such as Hadhrat Abdullaah ibn Umar τ and Hadhrat Abdullaah ibn Abbas τ had acted upon this very ruling and they use to give this Fatwa to others. And the apparent thing is that they themselves did not make this specification because of what entered their minds. Rather it was either because they had definitely heard it from Nabi ρ or they had seen Nabi ρ doing it. Because of this, this Fataawa of theirs will be in the law of Hadith a Marfoo`. In the same way, one great Taabi`ee Hadhrat Saeed ibn Musayyab (A.R.) also has given the Fatwa on this according to an authentic narration.

However, contrary to these statements of the Sahaabah τ the Ghair Muqallideen say that on the intention of staying for four days there will be no more Qasr and the entire Salaah must be read. Therefore Thanaa ullah Amritsaree Saheb writes: "According to the muhadditheen, with the intention to stay for three days to make Qasr is permissible, but for four days qasr is nor permissible. (Fataawa e Thanaaiyya Vol.1 pg 601)

Conclusion:

The above-mentioned statements of the sahaabah establishes that with the intention of staying for fifteen days Qasr will not be made, but according to the Ghair Muqallideen Qasr will be made with the intention of staying for four days and the entire Salaah must be read. You decide, is this conforming or contradicting Ahaadeeth?

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(10) Two Azaans for Jumu`ah is Masnoon (Sunnat)

Hadhrat Saaib ibn Yazeed τ said that in time of Rasulullaah ρ, Hadhrat Abu Bakr τ and Umar τ the Azaan for Jumu`ah use to be at the time the Imam sat on the Mimbar. Then when the era of the Khilaafat of Hadhrat Uthmaan τ came and the quantity of people had increased, then Hadhrat Uthmaan τ gave the command to give a third Azaan (i.e. the first Azaan for Jumu`ah). Therefore upon inclination, that Azaan was given and this had become a separate Sunnat. (Bukhaari Vol.1 pg 125, Abu Dawood Vol1 pg 155, Nasa`i Vol.1 pg 156)

It is established from the mentioned Ahaadeeth that in the time of Nabi ρ and the time of the rightly guided Khulafaa, in the era of Hadhrat Abu Bakr and Umar τ there was one Azaan which was given in front of the Imam by the Mimbar. In the era of the Khilaafat of Hadhrat Uthmaan Ghani τ when there were more people, he had given the command to give one more Azaan. This Azaan was given in the presence of the Sahaabah e Kiraam and not one of them objected it. Therefore this Azaan, by consensus of the Sahaabah e Kiraam, has

become a common thing. In every era after it this action has continued. No Imam, Jurist or Mujthid has objected to it. How could they have contradicted it? Nabi ρ's command was to hold firm on his ρ and the Khulaffa e Raashideen's Sunnat.

This Azaan was given with the command of Hadhrat Uthmaan Ghani τ, because this was his Sunnat, and according to the command of Nabi ρ it is necessary to carry it out. At first, this Azaan was given on a raised platform, later on it was given in the Masjid.

Today, in every Islaamic state this Azaan is given in the Masjid. In Hajj, those who have the good fortune of going to see with their own eyes that in Makkah Mukarramah in Masjid e Haram and in Masjidun Nabawi ρ this Azaan is given. All praise is due to Allaah the writer was a witness to this also with his own eyes. There is no objection to this Azaan being given in the Masjid.

However, contrary to the Mubaarak Ahaadeeth, consensus of the Ummat, actions of the Ummat, those Ghair Muqallideen which have given the Fatwa of twenty rakaats Taraweeh Salaah as an innovation (Bid`at), have also decided that this Azaan also is an innovation (Bid`at).

These Ghair Muqallideen are saying that this Azaan because it is not established from Nabi ρ, thus it cannot be a Sunnat. This is the reason that the Ghair Muqallideen do not give this Azaan, instead that Masjid in which it is given they have declared it to be Bid`at and prevent one from it.

Therefore Molwi Muhammad Saheb Jonaghari writes: "In the time of Nabi ρ and after, in the time of the two Khulafaa, this second Azaan also was not present, yes in the time of Hadhrat Uthmaan τ it was made present in order to for the time to be known. It was called out in the high place of the bazaar, not in the Masjid. Then in our time in those Masaajid in which two Azans are given that is a clear innovation and in no way can it be permissible." (Fataawa e Sataariyya Vol.3 pg 85)

Molwi Ubaidullah Saheb writes: "On the road to the Masjid of Jumu`ah Salaah one Azaan is established, from Hadhrat Uthmaan Ghani τ a second Azaan is established outside the Masjid. Then there should be adequate and the second Azaan should not be called out." (Fataawa e Sataariyya Vol.3 pg 85)

Molwi Abdur Rahmaan Saheb Mudarris e Madrassah Mia Delwi concludes: "To give one Azaan at the time of the Khutbah on the day of Jumua`ah is Masnoon, there is no need for two Azaans …" because of this, the Azaan of Hadhrat Uthmaan τ which is called the first Azaan called out in the Masjid is an innovation (Bid`at)" (Fataawa e Ulama e Hadith Vol.2 pg 179)

A historian (Mia Muhammad Mianwaali) is the first Imam of these strange Ghair Muqallideen Abdul Wahaab Saheb writes: "In the Musaajid of the Ahnaaf and the Ghair Muqallideen there were two Azaans of Jumu`ah as it is the custom on the Ahnaaf today. Moulana Mawsoof Abdul Wahaab Saheb narrates: "I gave the first Azaan with one knee inside and one outside of the Masjid." From this confident person there is proof for the issuing of a Fatwah of it being a bid`at and the Fatwa of the second Azaan given when the time the Imam sits at the Mimbar is correct. Today, in most Masaajid of the Ahle Hadith this way of Nabi ρ is acted upon. (مجموعہ رسائل مکمل نماذ و ہدایہ النبی pg 21)

Conclusion:

The first Azaan of Jumu`ah which is continuing from command of the Khalifa Hadhrat Uthmaan τ and upon which the Sahaabah e Kiraam had agreed upon, which has been given in all the Islaamic kingdoms since the fourh century without any objections, with which no Imam, Jurist or Mujaahid had any differences, what, today because that same Azaan it is being given inside the Masjid has become a Bid`at in era of the Ghair Muqallideen or an astonishment. If the action of the Khulafaa e Raashideen and Sahaabah e Kiraam also is Bid`at and upon which the entire Ummat inherit and act upon is also a Bid`at, then tell the Ghair Muqallideen Sunnat is in who's actions will it be? Again it will mean that from the fouth century the entire Ummats action was

upon Bid`at and today also the Imams and servants who call out the Azaan in the Haramain Shareefain are comiting the crime of Bid`at?

Respected readers, this is the action of the Ghair Muqallideen with Hadith. Now you decide is this conforming or contrary to the Hadith?

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(11) There are ten rakaats of Sunnat e Muakkadah before and after the Jumu`ah Salaah

1. Hadhrat Ali τ said that Rasulullaah ρ use to read four rakaats before and fours rakaats after the Jumu`ah Salaah and make Salaam at the end of the fouth rakaat. (معجم طبراني اوسط بحوالة نصب الراية Vol.2 pg 206)

2. Hadhrat Abdullaah ibn Abbas τ said that Rasulullaah ρ use to read four rakaats before and four rakaats after Jumu`ah and never use to separate between them. (i.e. never made Salaam after two rakaats.) (Majma uz Zawaaid Vol.2 pg 195)

3. It is narrated from Hadhrat Abu Hurairah τ that Nabi ρ said whoever reads Salaah on the day of Jumu`ah should read four rakaats before the Jumu`ah Salaah and four rakaats after it. (رواه النجّار بحواله كنز العمال Vol.7 pg 749)

4. Hadhrat Abu Hurairah τ narrates from Nabi ρ that Nabi ρ said whoever reads Salaah on the day of Jumu`ah should read four rakaats before and four rakaats after Jumu`ah. (Muslim Vol.1 pg 288)

5. Hadhrat Saalim (A.R.) narrates from his father Hadhrat Abdullaah ibn Umar τ that Nabi ρ use to read two rakaats Salaah after Jumu`ah. (Bukhaari Vol.1 pg 128, Muslim Vol.1 pg 288, and the words are from Muslim.)

6. Hadhrat Abdullaah ibn Umar τ said that Nabi ρ use to read two rakaats Salaah after Jumu`ah Salaah at his house. (Abu Dawod Vol.1 pg 161)

7. It is narrated from Hadhrat Qataadah (A.R.) that Hadhrat Abdullaah ibn Mas`ood τ use to also read four rakaats of Salaah before Jumu`ah and four rakaats Salaah after Jumu`ah. (Musannif Abdur Razzaaq Vol.3 pg 247)

8. Hadhrat Abu Abdur Rahmaan Salami (A.R.) said that Hadhrat Abdullaah ibn Mas`ood τ gave the command that we must read four rakaats of Salaah before Jumu`ah as well as four rakaats after Jumu`ah, until Hadhrat Ali τ came and gave us the command that after Jumu`ah we must first read two rakaats Salaah and thereafter four rakaats. (Musannif Abdur Razzaaq Vol.3 pg 247)

9. Hadhrat Abu Abdur Rahmaan Salami (A.R.) said that Hadhrat Abdullaah ibn Mas`ood τ use to teach us that we must read four rakaats after Jumu`ah Salaah until we had heard the saying of Hadhrat Ali τ that after Jumu`ah Salaah read six rakaats. Hadhrat Abu Abdur Rahmaan (A.R.) said that we began to read six rakaats after Jumu`ah. Hadhrat Ataa` (A.R.) said that Hadhrat Abu Abdur Rahmaan Salami (A.R.) use two first read two rakaats after Jumu`ah and thereafter four rakaats. (معجم طبراني كبير Vol.9 pg 310, Musannif ibn Abi Shaibah Vol.2 pg 132)

10. Hadhrat Abu Abdur Rahmaan (A.R.) narrates from Hadhrat Ali τ that he said whosoever reads Salaah after Jumu`ah should read six rakaats of Salaah. (Tahaawi Vol.1 pg 233)

Imam Tirmizi (A.R.) said: "It is narrated from Hadhrat Abdullaah ibn Mas`ood τ that he used to read four rakaats before Jumu`ah Salaah and four rakaats after it, and it is narrated from Hadhrat Ali τ that he commanded us to read two rakaats first and thereafter four rakaats after the Jumu`ah Salaah." (Tirmizi Vol.1 pg 117)

11. Hadhrat Jublah ibn Suhaim (A.R.) narrates from Hadhrat Abdullaah ibn Umar τ that he used to read four rakaats before Jumu`ah and never used to separate between them (i.e. never made Salaam after two rakaats) and after Jumu`ah he use to first read two rakaats and thereafter four rakaats. (Tahaawi Vol.1 pg 231)

12. Hadhrat Ataa` ibn Abi Rabaah (A.R.) said that when Hadhrat Abdullaah ibn Umar τ read Jumu'ah Salaah then he used to read six rakaats after it, first two rakaats and then four. (Musannif ibn Abi Shaibah Vol.2 pg 132, Tirmizi Vol.1 pg 117)

13. Hadhrat Abu Bakr ibn Abi Musa narrates from his father Hadhrat Abu Musa Ash`ari τ that he used to read six rakaats after Jumu`ah Salaah. (Musannif ibn Abi Shaibah Vol.2 pg 132)

14. Hadhrat Muhammad ibn Abi Muntashir (A.R.) narrates from Hadhrat Masrooq (A.R.) that Hadhrat Masrooq (A.R.) use to read six rakaats after Jumu`ah, two rakaats and then four. (Musannif ibn Abi Shaibah Vol.2 pg 132)

The above - mentioned Ahaadeeth and statements of the Sahaabah τ are establishing that there are ten Sunnats of Jumu`ah, four rakaats Sunnat e Muakkiddah Salaah before Jumu`ah and six rakaats Sunnat e Muakkiddah Salaah after Jumu`ah, because Hadith numbers 1 an 2 establishes that Nabi`s ρ habit was that he ρ used to read four rakaats before Jumu`ah and four rakaats after Jumu`ah. Hadith number 3 and 4 establishes that Nabi ρ and the Sahaabah e Kiraam τ also gave the command to read four rakaats before and four rakaats after Jumu`ah, therefore the saying and action of Hadhrat Abdullaah ibn Mas`ood τ was on this as it is apparent from Hadith numbers 7,8 and 9. It is known from Hadith 5 and 6 that Nabi ρ use to also read two rakaats Salaah after Jumu`ah. This is dominant, that Nabi ρ use to read his two rakaats of Salaah together with these four rakaats which was his ρ`s habit, and which was taught to the Ummat of Nabi ρ.

One sign is this that the Khulafaa e Raashid, Hadhrat Ali τ had given this command to the people that they must read six rakaats after the Jumu`ah, it is clear from Hadith number 8,9 and 10. It is clear that in order for Hadhrat Ali τ to give the command to read six rakaats after Jumu`ah he had most certainly taken it from the sayings and actions of Nabi ρ, because it is not possible that he would give a command that is contrary to the sayings and actions of Nabi ρ based on his opinion and analogy, nor was there any thing which had even entered in his opinion or analogy. Due to this, it will be said that either he had seen Nabi ρ reading six rakaats after Jumu`ah or he had found some guidance from Nabi ρ regarding it.

The second sign is this that Hadhrat Abdullaah ibn Umar τ who was counted as the most strict in following of the Sunnat from amongst the last of the Sahaabah e Kiraam τ, his habit was also this, to read six rakaats after the Jumu`ah Salaah as is apparent in hadith nubers 11 and 12. The certain thing is that either he had seen Nabi ρ reading six rakaats after Jumu`ah or he had found some guidance from Nabi ρ regarding it. Nevertheless both Hadhrat Ali and Hadhrat Abdullaah ibn Umar τ had acted upon the four rakaats. Nabi ρ did it himself and taught it to the Ummat. All of this are signs that Nabi ρ had read with the four rakaats after Jumu`ah two rakaats also, because of this it is established that after Jumu`ah the six rakaats are Sunnat e Muakkdah. The general practice of the Sahaabah e Kiraam and the great Taabi`een was also this, that they used to read six rakaats after Jumu`ah Salaah, accordingly Hadhrat Abu Musa Ash`ari τ used to read six rakaats after Jumu`ah as it is apparent in Hadith number 13. Hadhrat Abu Abdur Rahmaan Salami and Hadhrat Masrooq (A.R.) also use to read six rakaats after Jumu`ah as it is established from Hadith number 13 and 14. Based on these Ahaadeeth and statements of the Sahaabah τ the Jurists have said that there are ten rakaats Sunnat e Muakkadah of Jumu`ah, four before Jumu`ah and six after Jumu`ah.

However, contrary to all these Ahaadeeth and statements of the Sahaabah τ the actions of the Ghair Muqallideen is, that they have given a choice in the Sunnats after the Jumu`ah Salaah. If they wish they can either read two or four rakaats and their general action is to

read two rakaats. There is has been witnessed that **they read two** rakaats and go, and they also **prevent those** who read six rakaats, that why are you reading six, read two.
Hakeem Saadiq Siyaalkuti Saheb writes:
"Make it your habit to read either two or four rakaats of Sunnat after Jumu`ah according to Sunnat e Paak of Nabi ρ." (Salaat e Rasul pg 396)

Nawaab Waheed uz Zamaan Saheb writes: -
"And whoever wishes to read Salaah after Jumu`ah should read four rakaats in the Masjid and at home either two or six rakaats if he wishes, and there is no Sunnat e Muakkadah before before Jumu`ah.

Conclusion:

To read four Sunnats before Jumu`ah is established from both the actions and sayings of Nabi ρ. Nabi ρ himself used to read it and had also given the command for the Ummat to read it. The great Sahaabi Hadhrat Abdullaah ibn Mas`ood τ's action was also this, that he himself use to read four rakaats before Jumu`ah Salaah and he had also taught this to his companions. However, Nawaab Waheed uz Zamaan Saheb is saying that there is no Sunnat e Muakkadah before before Jumu`ah. To read six rakaats after Jumu`ah is established from the actions of Nabi ρ himself, also Khulafa e Raashid Hadhrat Ali ρ gave the command to read six rakaats after Jumu`ah. Hadhrat Abdullaah ibn Umar, Abu Musa Ash`ari τ and great Taabi`ee such as Hadhrat Abu Abdur Rahmaan Salami and Hadhrat Masrooq (A.R.)'s action was also that they read six rakaats after Jumu`ah. Because of this to read six rakaats after Jumu`ah is proven. The Ghair Muqallideen who claim to be acting on the Hadith, according to them there is a choice, to act on both read either two or four.

Now respected reader, the choice is yours, decide, is this conforming or contradicting the Hadith?

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(12) When the Days of Eid and Jumu`ah coincide then the Jumu`ah Salaah does not fall off, to read it is Fardh.

1. Imam Zuhri (A.R.) said that Abu Wa`eed (A.R.) explained a Hadith to me that on the occasion of Eid ul Adhaa he was present with Hadhrat Umar ibn Khattaab τ. He performed Salaah before the sermon (Khutbah). The he addressed the people and said: "O people! Nabi ρ prevented the fasting on the two days of Eid. One of them is Eid ul Fitr and the other is that in which you eat the meat of your (Qurbaani) sacrifice."

Abu Wa`eed (A.R.) said then he was present for the Eid Salaah with Hadhrat Uthmaan Ghani τ which had coincided with the day of Jumu`ah. He also performed the Salaah before the Khutbah. Thereafter he gave the sermon and said: "O People! This is such a day in which two Eids coincide, whoever wishes to wait for Jumu`ah can wait, and whoever wishes to go and return, from my side has permission." (Bukhaari Vol.2 pg 825, Mu`atta Imam Maalik pg 165)

2. Hadhrat Umar ibn Abdul Aziz (A.R.) said that in the time of Rasulullaah ρ two Eids had coincided, then Nabi ρ said that whoever loves that he will sit (for Jumu`ah Salaah) from the people of the household, then he should sit without any difficulty. (Kitaab ul Ummam Vol.1 pg 239)

3. Hadhrat Nu`maan ibn Basheer τ said that Nabi ρ used to read in the two Eids and Jumu`ah Salaah (سبح اسم ربك الاعلى and هل اتاك حديث الغاشية), many times the days of Eid and Jumu`ah had coincided with each other, then also Nabi ρ use to also read both these Surahs in both the Salaahs. (Tirmizi, Vol.1 pg 119, Nasai` Vol.1 pg 178)

Hadhrat Imam Muhammad via the narration of Qaadhi Abu Yusuf (A.R.) narrated from Imam Abu Hanifah (A.R.) that Nabi ρ said when two Eids (i.e. Eid and Jumu`ah) coincide on one day then the first is Sunnat (i.e. it being Waajib is established from the Sunnat) and the

second is Fardh (Jumu`ah) and none should leave out any one of the two. (Jaami us Sagheer pg 113)
"Hadhrat Imam Shaafi`ee (A.R.) said that when the day of Eid ul Fitr is the same as the day of Jumu`ah, then the Imam should perform the Eid Salaah at the time it becomes permissible to read it, then whoever was from out of the city, then it is permissible for them, if they wish they can return to their families and they do not have to return to read Jumu`ah Salaah. They have a choice that he can either wait to read Jumu`ah, or go and come back if they are able to, and if they do not do this, then there is no harm in this also Insha-Allaah. Imam Shafi`ee said that it is not permissible for anyone of the city to leave out the gathering for Jumu`ah unless he has a valid excuse even though it be the day of Eid. There will be no difference in the law regarding the day of Eid ul Adhaa, if it was in such a city in which Jumu`ah is permissible, as well as Eid Salaah. For the villagers and there will be a choice and the people of Mina will not perform the Salaah of Eid ul Adhaa nor Jumu`ah Salaah, because it is not a big city." (Kitaabul Umam Vol.1 pg 239)

Allaamah Zarqaani (A.R.) (passed away in the year 1122 A.H.) said, Ali, Ibn Wahab, Muttarraf and Ibn Maajishoon (A.R.) said that according to the narration of Imam Maalik, they have all negated the narration of Abuil Qaasim in which there is prevention (i.e. that this narration is not authentic) and upon the permissibility of this (i.e. that for the people of the village etc. to leave out Jumu`ah is permissible) is the saying of Imam Shaafi`ee and Hanafi (A.R.) (شرح الزرقانی علی مؤطا الامام مالك Vol.1 pg 364)

Allaamah Badrudeen A`inee (A.R.) said: - "And in a Mahallaah (part of a town) and Ashraaf (amongst nobles) Hadhrat Uthmaan Ghani τ performed Eid Salaah then he gave the sermon and said, for you today two Eids have gathered, therefore from the people of the household whoever likes that he should wait for it, can wait for it. Whoever wishes to return to his home has permission from my side. We will perform the Jumu`ah Salaah. Hadhrat Uthmaan τ's saying (انا مجمعون) that we will definitely perform the Jumu`ah Salaah is a clear proof of this command, that to leave out Jumu`ah Salaah is not permissible. Ibn Abdul Barr (A.R.) said that the discarding of the Jumu`ah and Zohr

Salaah due to the Eid Salaah is (متروك) left out, rejected, not reliable, how can this be reliable. The permission given by Hadhrat Uthmaan τ to leave out Jumu`ah was to the people of the household upon whom Jumu`ah was not Waajib." (البناية في شرح الهداية Vol.2 pg 1019)

Ibn Hazam (A.R.) said: "When the day of Jumu`ah and Eid join then first read the Eid Salaah, thereafter read the Jumu`ah (which is necessary) **and no authentic Hadith is contrary to this.** Abu Muhammad (Ibn Hazam) said that Jumu`ah is Fardh and Eid is (تطوع) Nafl, and (تطوع) a Nafl cannot make a Fardh be discarded." (المحلى للابن حزم Vol.3 pg 93)

It is established from the Noble Verses of the Qur`an, the Mubaarak Ahaadeeth and sayings of the Muhadditheen that if Eid and Jumu`ah gather on one day, to read both Salaahs is necessary. The compulsion of Jumuah does not fall away because of the Eid Salaah. The reason is that Jumu`ah is Fardh which is established by the mubaarak (blessed) verse of the Qur`an "يآيّها الّذين آمنوا اذا نودى للصلوة ....الاية" under which all the Jumu`ah Salaahs will come under and in which there are no exceptions. Likewise in the treasure of Ahaadeeth, such Ahaadeeth are found from which it becomes known that Nabi ρ had given very stern warnings for the leaving out of the Jumu`ah Salaah without an excuse. The demand of these Ahaadeeth is that Jumu`ah must be read and never left out irrespective of the day it occurs. This was also the Mubaarak action of Nabi ρ, that if Eid and Jumu`ah had both coincided on one day, then Nabi ρ use to read both Salaahs. **It is not established from any authentic Ahaadeeth that Nabi ρ had read Eid Salaah and not read Jumu`ah Salaah on any such occasion.** Instead, the habit of Nabi ρ was that he ρ on such occasions use to read both Salaahs. Hadhrat Nu`maan ibn Basheer τ said that if Eid and Jumu`ah coincided on one day then on that day Eid and Jumu`ah Salaah, in both Nabi ρ used to read it. (As is clear from hadith number 3) This hadith clearly establishes that Nabi ρ used to read both Salaahs on such an occasion. Nevertheless, Nabi ρ had given permission to those people of the household upon whom Jum`uah was not even (Fardh), that you go if you wish, as it is apparent from hadith number 2. The habit of the Khalifa e Raashid Hadhrat Uthmaan Ghani τ was also this, that if Jumu`ah and Eid had both gathered on the same day, then he

use to read both Salaahs. Nevertheless, he had given permission to those people of the household upon whom Jum`uah was not even Fardh, that if you wish to stay for Jumu`ah, then stay, and if you wish to go, then go.

The Aimmah e Mujtahideen, Hadhrat Imam Abu Hanifah (A.R.), Hadhrat Imam Maalik (A.R.) and Hadhrat Imam Shafi`ee (A.R.) all say that if Jumu`ah and Eid coincide, then both Salaahs must be read with compulsion, and none of them will be left out. Nevetheless, for the villagers upon whom Jumu`ah is not Fardh, is concession, as the words of Jaami` us Sagheer, Kitaabul Umm, and Sharah of Zarqaani testify. The mas`ala of Ibn Hazam is the same also as it is clear from the wording of Mahallaa (محلى). Allaamah ibn Abdul Barr Maaliki (A.R.) said that whoever said that the Jumu`ah Salaah will be left out because of the Eid Salaah, the saying left out, rejected, are not reliable and not worthy of being considered.

Contrary to the noble verses of the Qur`an, Mubaarak Ahaadeeth and sayings of the Muhaditheen, the Ghair Muqallideen say that day where the Eid and Jumu`ah coincide, the compulsion of the Jumu`ah Salaah falls and there is concession for the Jumu`ah Salaah, if he wishes he can perform it and if not, then not.

Mia Nazeer Husain Saheb was asked: - "If coincidently both the day of Eid and Jumu`ah had coincided, then is there any concession in the performing of the Jumu`ah Salaah or not. Zaid had not read the Jumuah on such a day and said that I had revived a dead Sunnat, how can he say this?

In the answer to this question his student Molwi Abdur Rahim writes:- "When the days of Eid and Jumu`ah gather, then on that day there is a choice, whosoevers heart desires to read Jumu`ah can read it and whoevers heart does not wish to read does not have to read. And on those such days Zaid did not read the Salaah and said that I had revived a dead Sunnat, then to say this is good. (Fataawa e Nazeeriyya Vol.1 pg 573)

NOTE: This is an authenticated Fatwa of Mia Nazeer Husain Saheb Delwi

Nawaab Waheed uz Zamaan writes: -
"And when Jumu`ah and Eid coincide on one day, then there will be concession in the Jumu`ah and the apparent thing is this concession is general for all the people as well as the Imam." (Arful Jaadi pg 43)

Nawaab Waheed uz Zamaan Saheb Raqmatraaz: -
"And Jumu`ah on the day of Eid there is general concession for the people of the town and besides them. If they wish they may read both, and if they wish they can only read Eid Salaah and not Jumu`ah. Nevertheless regarding the leaving of the Zohr Salaah there is a difference of opinion." (Nuzulul Abraar Vol.1 pg 155)

Conclusion:

The compulsion of Jumu`ah is established from clear Nass (proof from Qur`an) in which there is no exception. Nabi ρ has given severe warnigs to the ones who left out the performing of Jumu`ah without a valid excuse. In your time if both Eid and Jumu`ah gather on the same day then you read both, certainly for those upon whom Jumu`ah is not (Fardh) (i.e. the people of the village) they have been permitted to go if they wish. The people of the city all have to read Jumu`ah and Eid Salaah with you. Khalifa e Raashid Sayyidina Uthmaan Ghani τ's habit was also the same. The saying of the Aimmah e Mujtahideen is also the same that if Jumu`ah and Eid both gather on the same day, then both Salaah will be read. Allaamah Ibn Abdul Barr Maaliki (A.R) has decided that those people who omit the Jumu`ah Salaah because of the Eid Salaah their saying is (متروك) left out, rejected, not reliable and not worthy of being considered. However the Ghair Muqallideen have looked elsewhere and stipulated that there is concession in the leaving of the Jumu`ah which means that if anyone reads then it is correct, and if anyone does not read it, then that is also correct. Instead, according to them, not to read the Jumu`ah Salaah is the reviving of a dead Sunnat. (ولا حول ولا قوة الا بالله)

Respected reader is the opposing of the Noble Qur`an and the action Nabi ρ in order to act according to your opinion and pleasure conforming to the Sunnat or contradicting it?
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(13) In Janaazah Salaah one should only raise the hands for the first Takbeer not for the remainder.

1. It is narrated from Hadhrat Abu Hurairah τ that when Rasulullaah ρ used to read Janaazah Salaah, then he use raise his hands for the first Takbeer and keep the right hand on top of the left hand. (Tirmizi Vol.1 pg 206, Darr e Qutni Vol.2 pg 75, Baihaqi Vol.4 pg 38)

2. It is narrated from Hadhrat Abdullaah ibn Abbas τ that Rasulullaah ρ only raised his hands for the first Takbeer in Janaazah Salaah, then never did it a second time. (Darr e Qutni Vol.2 pg 75)

3. Hadhrat Waleed ibn Abdullaah (A.R) said that I saw Hadhrat Ibraahim Nakha`ee (A.R) when he used to read Janaazah Salaah, then he raised both his hands and said the first Takbeer, and he did not raise his hands for the remaining Takbeers and he said four Takbeers. (Musannif ibn Abi Shaibah Vol.3 pg 296)

4. It is narrated from Hadhrat Hasan ibn Ubaidullah (A.R.) that he use to raise his hands for the first Takbeer in Janaazah Salaah. (Musannif ibn Abi Shaibah Vol.3 pg 296)

"Hadhrat **Imam Maalik (A.R.)** said that in Janaazah Salaah you must raise you hands in Janaazah Salaah for the first Takbeer only, Hadhrat ibn Qaasim (A.R.) said that I was present with him many times for the Janaazah Salaah, he use to read the Janaazah Salaah, I did not see him rasie his hands except for the first Takbeer. Ibn Qaasim (A.R.) said that Hadhrat Imam Maalik (A.R.) said that it is not permissible to raise your hands in Janaazah Salaah except for the first Takbeer." (Al Mudawantul Kubraa Vol.1 pg 176)

Allaamah Imam ibn Hazam said: - "That the raising of the hands should not be done except for the first Takbeer in Janaazah Salaah, Because besides the raising of the hands for the first Takbeer, to raise the hands for the remaining Takbeers does not come in any other Nass (proofs from where masaa`il are derived).And Hadhrat Abdullaah ibn Mas`ood and Abdullaah ibn Abbas τ have both narrated this, and Hadhrat Imam Abu Hanifah and Sufyaan Thauri (A.R.) have also said this." (Al Muhallaa Vol.3 pg 181)

Qaadhi Showqaani said: "The jist of the discussion is that regarding the rasing of the hands for besides the first Takbeer, **there is no such Hadith established from Nabi ρ which is worthy of objecting this proof.** The sayings and actions of the Sahaabah e Kiraam is not a proof, because the appropriate thing is that in Janaazah Salaah there must be only time to make the first Takbeer short."

The above mentioned Ahaadeeth and statements of the Sahaabah establishes that in Janaazah Salaah the raising of the hands should only be made for the first Takbeer, and not for the remaining Takbeers. Because Hadith numbers 1 and 2 establishes that Nabi ρ used to only raise his hands for the first Takbeer and not for the reaminder. Allaamah ibn Hazam and Qaadhi Showqaani say that **it is not established from any clear and authentic Hadith that Nabi ρ used to raise his hands for the remaining Takbeers.** Great Sahaabah e Kiraam life Hadhrat Abdullaah ibn Mas`ood and Abdullaah ibn Abbas τ used to only raise their hands for the first Takbeer, such great Taabi`een like Hadhrat Ibraahim Nakha`ee and Hasan ibn Abdullaah (A.R.) also use to only raise their hands for the first Takbeer. Hadhrat Sufyaan Thauri and Imam Abu Hanifah, Imam Maalik, Ibn Hazam and Qaadhi Showqaani (A.R.) were also in favour of this.

However, contrary to the Ahaadeeth and statements of the Sahaabah, according to the Ghair Muqallideen, the hands should be raised with every Takbeer; according to them not only is it permissible but rather preferable (Mustahab).

Therefore Molwi Ubaidullah Rahmaani Saheb writes: - "Regarding the raising of the hands for the Takbeers of Janaazah Salaah there are no

authentic (sahih marfoo`), either by saying, action or verbal Ahaadeeth present. Certainly it is definitely established from some Sahaabah from (موقوف) narrations and again with the narrating of some weak Ahaadeeth to raise the hands with the Takbeers is permissible, not Bidat or prevented." (Fataawa e Thanaaiyya Vol.2 pg 50)
Thanaaullah Amritsri Saheb says: - "To raise the hands with every Takbeer is Mustahab" (Fataawa e Thanaaiyya Vol.2 pg 50)

Conclusion:

Nabi ρ used to only rasie his hands for the first Takbeer in Janaazah Salaah not for the remainder and Nabi ρ and none of the Khulafaa e Raashideen raised the hands for every Takbeer and it is not established from any authentic demands. To conform to the action of Nabi ρ in Janaazah Salaah is not to raise the hands for every Takbeer. The Ghair Muqallideen have decided that the raising of the hands for every Takbeer of Janaazah Salaah is Mustahab (preferable), instead of leaving out the raising of the hands for every Takbeer of Janaazah Salaah.

You decide whether this conforms to or contradicts the Ahaadeeth?

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(14) In Janaazah Salaah it is not permissible to read any recitation in place of Surah Faatihah and another surah.

1. Hadhrat Abu Hurairah τ said that I heard Nabi ρ say that when you read the Janaazah Salaah for any deceased person then make sincere Du'aaa for him. (Abu Dawood Vol.2 pg 100, Ibn Maajah pg 109)

2. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Saeed Maqburi (A.R.) and his father that they asked Hadhrat Abu Hurairah τ that how do you read Janaazah Salaah? He said, By Allaah I will certainly tell you, I took the Janaazah from the house of the deceased, when it was placed (for Janaazah Salaah) then I called out the Takbeer and praised Allaah, sent salutations

upon Nabi ρ and thereafter made Du'aa, (اللهمّ عبدك وابن عبدك وابن امتك كان يشهد ان لا اله الا انت وانّ محمدا عبدك ورسولك وانت اعلم به اللهمّ ان كان محسناً فزد في احسانه وان كان مسيأ ً فتجاوز عنه سيّآته اللهمّ لا تحرمنا اجره ولا تفتنّا بعده) (Mua`tta Imam Maalik Vol.1 pg 209)

3. Hadhrat Imam Maalik (A.R.) narrates from Hadhrat Naafi`(A.R.) that Hadhrat Abdullaah ibn Umar τ never made Qiraat in Janaazah Salaah (Mua`tta Imam Maalik Vol.1 pg 210)

4. It is narrated from Hadhrat Abdullaah ibn Mas`ood τ that he was asked a question regarding the Qiraat in Janaazah Salaah, he said that Rasulullaah ρ never stipulated for us any special words or Qiraat to be read. In one narration it says no special Du'aa or Qiraat was specified. When the Imam calls out the Takbeer then you also call out the Takbeer and the best words (Thanaa and Du'aa etc) is whatever you wish, and in one narration it is mentioned that the best Duaa is what you chose. (Badaa e us Sanaai` Vol.1 pg 313, Mugni ibn Quddaamah Vol.2 pg 485)

5. It is narrated from Hadhrat Abdur Rahmaan ibn Auf and Abdullaah ibn Umar τ that they both also said in Janaazah Salaah no portion of the Qur`an must be read. (Badaa e us Sanaai` Vol.1 pg 313)

6. It is narrated from Hadhrat Ali τ that when he read the Janaazah Salaah upon the deceased then first he praised Allaah Ta`aala and thereafter read Durood upon Nabi ρ and thereafter he said, (اللهمّ اغفرلاحيائنا واموتنا والّف بين قلوبنا واصلح ذات بيننا واجعل قلوبنا على قلوب خيارنا) (Musannif ibn Abi Shaibah Vol.3 pg 295)

7. Hadhrat **Imam Shaafi`ee (A.R.)** said in Janaazah Salaah after the first Takbeer begin with the praising of Allaah, after the second Takbeer recite Durood upon Nabi ρ. After the third Takbeer make Du'aa for the deceased, and after the fourth Takbeer make Salaam. (Musannif ibn Abi Shaibah Vol.3 pg 295, Musannif ibn Abdur Razzaaq Vol.3 pg 491)

8. Ibraahim Nakha`ee and Imam Shafi`ee (A.R.) said in Janaazah Salaah there **is no Qiraat.** (Musannif ibn Abi Shaibah Vol.3 pg 299)

9. Hadhrat Ayoob (A.R.) narrated from Hadhrat Muhammad ibn Seereen (A.R.) that he did not make Qiraat in Janaazah Salaah. (Musannif ibn Abi Shaibah Vol.3 pg 298, Musannif ibn Abdur Razzaaq Vol.3 pg 491)

10. Hadhrat Hajjaaj said that he asked Hadhrat Attaa ibn Abi Rabaah a question regarding the Qiraat in the Janaazah Salaah, we did not hear this. (Musannif ibn Abi Shaibah Vol.3 pg 299)

11. Hadhrat Abu Taa`oos narrates from his son Taa`oos and Hadhrat Ataa` ibn Abi Rabaahah (A.R.) that both these pious personal negated the Qiraat in the Janaazah Salaah. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

12. Hadhrat Bakr ibn Abdullaah (A.R.) said that he did not know of any Qiraat in Janaazah Salaah. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

13. Hadhrat Mufaddal (A.R.) said that he enquired from Hadhrat Maimoon (A.R.) whether there was Qiraat or Durood upon Nabi ρ in the Janaazah Salaah. He said that he didn't know. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

14. Hadhrat Muhammad ibn Abdullaah ibn Abi Saarah (A.R.) said that he enquired from Hadhrat Saalim (A.R.) whether he must read Qiraat in the Janaazah Salaah, he then said in the Janaazah Salaah there is no Qiraat. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

15. Hadhrat Abu Minhaal (A.R.) said that he enquired from Hadhrat Abu Aaliyya (A.R.) regarding the reading of Surah Faatihah in the Janaazah Salaah. He said that his opinion is that Surah Faatihah will only be read in those Salaahs which have Ruku and Sajdah. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

16. Hadhrat Musa ibn Ali (A.R.) narrates from his father that he had enquired from Hadhrat Fadaalah ibn Ubaidah τ that upon the deceased (i.e. in Janaazah Salaah) must Qiraat be read. He said no. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

17. Hadhrat Saeed (A.R.) narrates from his father Abu Burdah (A.R.) that someone asked him whether he can read Qiraat in Janaazah Salaah, he replied in the negative. (Musaniff ibn Abi Shaibah Vol.3 pg 299)

18. Hadhrat Hammaad (A.R.) said that he had enquired from Hadhrat Ibraahim Nakha`ee whether Qiraat can be made in Janaazah Salaah? He replied in the negative. (Musannif ibn Abdur Razzaaq Vol.3 pg 491)

19. Hadhrat Talhah ibn Abdullaah ibn Auf (A.R.) said that he read Janaazah Salaah behind Hadhrat Abdullaah ibn Abbas τ. He read Surah Faatihah and a Surah audibly enough for us to hear. When he finished the Salaah, he grabbed his hand and asked him regarding this. He said that this is Sunnat and true. (Nasai` Vol.1 pgt 218)

20. Hadhrat Talhah ibn Abdullaah ibn Auf (A.R.) said that he read Janaazah Salaah behind Hadhrat Abdullaah ibn Abbas τ. He heard him read Surah Faatihah when he completed the Salaah. Hadhrat Talhah (A.R) caught his hand and asked as to why he made Qiraat, He said yes, this is true and Sunnat. (Nasai` Vol.1 pg 218)

Hadhrat Sahnoon (A.R.) said that he enquired from Hadhrat Abdur Rahmaan ibn Qaasim (A.R.) what should be read upon the deceased according to the saying of **Imam Maalik (A.R.)**. He said that there is Du'aa for the deceased. Hadhrat Sahnoon (A.R) asked if there is Qiraat in the Janaazah Salaah according to the saying of Imam Maalik? He replied in the negative.

Ibn Wahab (A.R.) said that a lot of the people of knowledge eg: Hadhrat Umar ibn Khattaab τ, Hadhrat Ali ibn Abi Taalib τ, Hadhrat Abdullaah ibn Umar τ, Hadhrat Ubaidah ibn Fadaalah τ, Hadhrat Abu Hurairah τ, Hadhrat Jaabir ibn Abdullaah τ, Hadhrat Waathala ibn Asqa` τ, Hadhrat Qaasim ibn Muhammad τ, Hadhrat Saalim ibn Abi Abdullaah τ, Hadhrat Saeed ibn Musayyab τ, Hadhrat Ataa` ibn Abi Rabaah τ and Hadhrat Yahyah ibn Saeed (A.R.) never used to make Qiraat in Janaazah Salaah, Ibn Wahab (A.R.) said that Hadhrat Imam Maalik (A.R.) said in our city (i.e. Madinah Tayyibah) that is not practised on, Janaazah Salaah is only Du'aa, I found the people of knowledge of his city upon the same.

The above mentioned Ahaadeeth and Statements of the Sahaabah establishes this that in reality the right of the deceased in Janaazah Salaah is Du'aa and seeking of forgiveness (istighfaar). It is for this reason that in it should be the praising of Allaah, durood upon Nabi ρ thereafter Du'aa for the deceased. How is the general manner of Du'aa? In Janaazah Salaah to read Surah Faatihah and another Surah in the manner of Qiraat is incorrect.

Nabi ρ himself use to make Duaa for the deceased also and also use to give the command to the others to make sincere Duaa. **However it is not established from one authentic Hadith also that Nabi ρ used to make Qiraat in Janaazah Salaah, or give the command to the others to do so.**

Allaamah ibn Qayyim (A.R.) said: -
"The intended thing with Janaazah Salaah is to make Duaa for the deceased, and in the same manner the Duaas of Janaazah Salaah has been narrated many times from Nabi ρ and that Surah Faatihah or Durood Shareef has not been narrated." (Zaad ul Ma`aad Vol.1 pg 141)

He writes further: -
"It is mentioned from Nabi ρ that he had commanded the recitation of Surah Faatihah upon the deceased, and this chain of narration is not authentic" (Zaad ul Ma`aad Vol.1 pg 141)

This is the reason why the Khulafaa e Raashideen, who were the gardians of the Sunnats of Nabi ρ, have not narrated that Nabi ρ used to read Surah Fatihah in the Janaazah Salaah. When it is clearly narrated that Hadhrat Umar τ and Hadhrat Ali τ never made Qiraat in Janaazah Salaah, it is clear from the wording of Mudawwana e Kubra, Hadith number 6 establishes that Hadhrat Ali Murtadaa τ when he read Janaazah Salaah then he praised Allaah in the beginning, thereafter he sent salutations upon Nabi ρ, thereafter he made Duaa for the deceased. In the same way other great Sahaabah e Kiraam such as Hadhrat Abu Hurairah τ, Hadhrat Abdur Rahmaan ibn Auf τ, Hadhrat Abdullaah ibn Umar τ, Hadhrat Fadaala ibn Ubaidah τ, Hadhrat Jaabir ibn Abdullaah τ and Hadhrat Waathala ibn Asqa` τ also did not recite Qiraat in Janaazah Salaah, as it is clear from Ahaadeeth numbers 2, 3, 4, 5, and 16 and from the explanation given by Hadhrat ibn Wahab in Mudawwana e Kubra.

Such great Taabi`een and Tab e Taabi`een like Hadhrat Imam Sha`bi, Muhammad ibn Seereen, Ibraahim Nakha`ee, Ataa ibn Abi Rabaah, Taa`oos, Bakr ibn Abdullaah, Hadhrat Maimoon, Saalim ibn Abdullaah, Qaasim ibn Muhammad, Abul Aaliya Ar Riyaahi, Abu Burdah, Saeed ibn Musayyab, Yahyah ibn Saeed and Hadhrat Imam Maalik (A.R.), were also not in favour of there being Qiraat in Janaazah Salaah, as it is apparent from Ahaadeeth numbers 7 to 8, again it is also in the explanation of Hadhrat ibn Wahab (A.R.)

From the following of the Ahaadeeth and statements of the Sahaabah, it is established that in the era of the Khairul Quroon where the headquarters of Islaam was Madinnah Tayyibah, Makkah Mukarramah, Kufa, Basrah, etc. to read Janaazah Salaah was definitely not a practice.

Therefore, Imam Maalik (A.R.) of Madinah Tayyibah and seven Jurists from Madinah Tayyibah from which Hadhrat Saeed ibn Musayyab, Qaasim ibn Muhammad and Saalim ibn Abdullaah (A.R.) are all saying this that there is no Qiraat in Janaazah Salaah. This is the reason that Imam Maalik had said that in our city (Madinah Tayyibah) there is no practice of Qiraat in Janaazah Salaah.

The Imam of Makkah Mukarramah, Hadhrat Ataa` ibn Abi Rabaah (A.R.) was also not of the opinion of there being Qiraat in Janaazah Salaah. Hadhrat Ataa` ibn Abi Rabaah was asked a question regarding this. He said we have not heard that there is also Qiraat in Janaazah Salaah. He prevented Qiraat in Janaazah Salaah. It is estimated from this that in Makkah Mukarramah this was not practiced upon.

In Kufa, Hadhrat Ali Murtadaa τ, Imam Sha`bi, Ibraahim Nakha`ee, Maimoon ibn Nahraan and Imam Abu Hanifah (A.R.) were not of the opinion that there is Qiraat in Janaazah Salaah. The Fatwa of Imam Sha`bi was there is no Qiraat in Janaazah Salaah, instead after the first Takbeer is Thanaa, after the second is Durood, after the third is Duaa and after the fourth is Salaam.

The Imam of Basrah Hadhrat Muhammad ibn Seereen who had found the grace of Hadhrat Abu Hurairah and Anas ibn Maalik τ, he too was also of the opinion of there being no Qiraat in Janaazah Salaah.

It is clear as daylight from these cases, that in the era of the Khairul Quroon, Qiraat in Janaazah Salaah was definitely not practised.

Further supporting this is the incident where once Hadhrat Abbas performed Janaazah Salaah and made Qiraat in a loud voice, after Salaah was completed, Hadhrat Talhah ibn Abdullaah (A.R.) held his hands and asked him in astonishment did you make Qiraat in Janaazah Salaah? He answered and said yes, this is true and Sunnat. Hadhrat Talhah (A.R.) asked the question in this manner because according to him this was something new and strange which was definitely contrary to what the practise was.

The remaining issue is the Qiraat that Hadhrat Abdullaah ibn Abbas gave and specified as Sunnat, is not a Sunnat e Mustalah (سنت مصطلحہ) which means, not the Sunnat of Nabi ρ. It has been said before that it is not established from any authentic Hadith that Nabi ρ read Qiraat in Janaazah Salaah or gave the command for others to do it. Nor is it established from the Khulafaa e Rasshideen or the strictest follower of the Sunnat Hadhrat Abdullaah ibn Umar τ. The saying of Imam Maalik (A.R.) is that there was no practise of Qiraat in Janaazah Salaah

in Madinah Tayyibah. If Qiraat in Janaazah Salaah was Sunnat, then all the people of Madinah would have left out a Sunnat and no one would have practised it. Duly this statements meaning is 'literal Sunnat' that means 'way'. He meant and Allaah knows best, that in place of Hamd and Thanaa, Surah Faatiha etc. is also a way that if anyone does it then also this is correct. In the treasures of Ahaadeeth in many places you get the Sahaabah e Kiraam using the word Sunnat, but there, what is meant is the literal meaning of Sunnat and not the Jurisprudic meaning of Sunnat. However, these are the Ahaadeeth and Statements of the Sahaabah from which the Jurists said that the Sunnat in Janaazah Salaat is that after the first Takbeer is Thanaa, after the second is Durood, after the third is Duaa and after the fourth is Salaam. To make Qiraat in Janaazah Salaah is contrary to the Sunnat, yes if anyone in place of Thanaa or Duaa reads Surah Faatiha then, it is permissible to do so.

However, contrary to all of these Ahaadeeth and Aathaar (statements) of the Sahaabah, the Ghair Muqallideen say that in Janaazah Salaah to read **Surah Faatihah is necessary**. If anyone does not read it, then his Salaah will be null and void. Without condition there will be no Janaazah Salaah.

Therefore, the Shaikhul Hadith of the Ghair Muqallideen Molwi Yunus Quraishi Saheb writes: "After the first Takbeer it is necessary for the Imam and followers to read Surah Faatihah after Duaa e Ma`sura…………….. if this is not done by the Imam and followers in the Janaazah Salaah then the Salaah become null and void." (Fataawa e Ulama e Hadith Vol.5 pg 185)

Nawaab Sideeq Hasan Khan Saheb writes: - (بدور الاهلة Vol.1 pg 92)
Therefore Janaazah Salaah is one Salaah from the Salaahs regarding which Nabi ρ has said "There is no Salaah except with Surah Faatihah"

Conclusion:

Nabi ρ and the Khulafaa e Raashideen neither read Surah Faatihah or gave the command to read it in Janaazah Salaah nor is it established from any authentic Ahaadeeth. When it comes in a Ahaadeeth that

Hadhrat Umar and Ali τ did not make Qiraat in the Janaazah Salaah, in the same manner again great Sahaabah e Kiraam Taabi`een, and Tab`e taabi`een also were not in favour of Qiraat in Janaazah Salaah.

In the Khairul Quroon the headquarters of Islaam was Madinah Tayyibah, Makkah Mukarramah, Kufa, Basrah, where it was not practiced. It is known that to give the decision to read Surah Faatihah in the Janaaazah Salaah or to specify it as a condition is incorrect. If this was Sunnat, then the Khulafaa e Raashideen and those after them and in the remaining era of the Khairul Quroon would have been the practise. Strangely, the Ghair Muqallideen who have not even considered this have made the decision that it is a Sunnat, rather they are giving the Fatwa that it is in the rank of a condition of a Fardh, that if Surah Faatihah is not read in Janaazah Salaah, then there is Salaah.

The question is that Hadhrat Umar τ, Hadhrar Ali τ, Hadhrat Abu Hurairah τ and Abdullaah ibn Umar τ besides them again Sahaabah, Taabi`een and Tab`e taabi`een, millions of the pious men who were not in favour of the recitation of Surah Faatihah in Janaazah Salaah, are all their Salaahs null and void and useless. And all of the deceased are buried without Salaah. Can this be the courage of the Ghair Muqallideen that they have ruled all of there Salaahs to be null and void. Besides them none is so daring.

Respected reader decide, to declare the Salaah of great Sahaabah e Kiraam, Taabi`een, Tab`e taabi`een and millions of their followers as null and void and to pronounce it as useless, is this conforming or contrary to the Hadith?

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(15) In Janaazah Salaah one should read the Duaa etc. in a soft voice, not in a loud voice.

"Call your Rabb in humility and in secrecy. Verily He does not like those who overstep the limits." (Surah 7: verse 55)

1. Hadhrat Abu Amaamah ibn Sahl ibn Haneef τ said that in Janaazah Salaah the Sunnat is that after the first Takbeer, read Surah Faatihah softly, thereafter call out three Takbeers and after the last there will be Salaam. (Nasai` Vol.1 pg 218)

2. Hadhrat Jaabir ibn Abdullaah τ said that Rasulullaah ρ, Hadhrat Abu Bakr and Umar τ had not specified anything for us in the Janaazah Salaah. (Ibn Majah pg 109, Musnad e Ahmad Vol.3 pg 357)

Hafiz ibn Hajar Asqalaani (A.R.) said that Hadhrat Imam Ahmad (A.R.) via the way of Abu Zubair narrated a Hadith from Hadhrat Jaabir ibn Abdullaah τ: "For us in Janaazah Salaah Rasulullaah ρ, Hadhrat Abu Bakr and Umar τ had not specified anything," in this Hadith the explaination of the word أبَاحَ is that it comes in the meaning of قدّر. That means that (had not specified). But as far I know the meaning of the word أبَاحَ is جَهَرَ. (As though the meaning is this that Nabi ρ, Hadhrat Abu Bakr and Umar τ had not read Janaazah Salaah with a raised voice.) (Talkhees ul Jabeer Vol.2 pg 123)

Imam Nawawi (A.R.) said: "Our companions agree that if the Janaazah Salaah is read during the day, the Qiraat must be read softly and if it is during the night, then there are two ways which are both correct, the first way is that what majority of the scholars practise upon, that if it was in the night also then too the Qiraat will be softly. The second way that remains is that it will be read audibly. Regarding the Duaa, then without any difference of opinion this will be done softly. (Nawawi Sharah Muslim Vol.1 pg 311)

Hadhrat Imam Ibn Quddaamah (A.R.) Hambali said that in Janaazah Salaah the Qiraat and Duaa will be read softly and regarding this between the scholars there is no difference of opinion. (المغنى لابن قدامة Vol.2 pg 486)

Qaadhi Showqaani (A.R.) said that majority of the Ulama say that in Janaazah Salaah to read audibly is not Mustahab and they have taken the saying of Hadhrat Abdullaah ibn Abbas τ which already passed as a proof, i.e. he said that he read audibly for everyone to know what the

Sunnat is, and the majority of the scholars (Jamhuur) (Nailul Awtaar Vol.4 pg 66) also take a proof from here that it means that his desire was to read inaudibly.

The Quraanic verses, Mubaarak Ahaadeeth and consensus of the Ummat establishes that in Janaazah Salaah, Thanaa, Durood, Duaa etc. will be read will a soft voice. Because in reality Janaazah Salaah is a Duaa for the deceased person and regarding Duaa Allaah has said "Call your Rabb in humility and in secrecy."

Hadhrat Abu Amaamah ibn Sahl ibn Haneef τ declared the recitation of the Qiraat in Janaazah Salaah softly as Sunnat, as is clear from Hadith number 1 and in the Mubaarak Hadith of Hadhrat Jaabir ibn Abdullaah τ the word which comes أبَاحَ has be interpreted to mean جَهَرَ by Haafiz ibn Hajar Asqalaani (A.R.). In this case the meaning of the Hadith is that Nabi ρ, Hadhrat Abu Bakr τ and Hadhrat Umar τ had not read Janaazah Salaah with a raised voice. From this it is apparent that to read Thanaa, Durood and Duaa with a soft voice is Masnoon (Sunnat).

It is established from the explanations of Hadhrat Imam Nawawi Shafi`ee, Imam Ibn Quddaamah Hambali and Qaadhi Showqaani (A.R.) that in Janaazah Salaah, Duaa etc. is to be read softly by consensus of agreement and there is no difference of opinion regarding this matter.

Warning: - We had mentioned in a previous chapter that according to us in Janaazah Salaah to read Surah Faatihah in place of Hamd and Thanaa is permissible, because of this, if anyone wishes to read Surah Faatihah with Thanaa then should do so in a soft voice. Contrary to the noble verses, Mubaarak Ahaadeeth and consensus of the Ummat, the Ghair Muqallideen say that in Janaazah Salaah to read with a loud voice is more virtuous, instead Sunnat.

Accordingly, Molwi Abul Hasanaat Ali Muhammad Saeedi writes: -

"In view of the proofs to read with a raised voice in Janaazah Salaah is more virtuous and strong." (Fataawa Ulama e Hadith Vol.5 pg 152)

Therefore Ahamd Saheb Patwi writes: - “In Janaazah Salaah to read Surah Faatihah and the Surah after it is permissible, instead Sunnat.” (Fataawa e Thanaaiyya Vol.2 pg 56)

Conclusion:

The Noble verses of the Qura`an, Mubaarak Ahaadeeth and consensus of the Ummat, all three establishes that Janaazah Salaah should be read softly. Allaah Ta’aalah gives the command to make Duaa softly, Hadhrat Abu Umaamah τ declared it as Sunnat, Hadhrat Jaabir τ, Nabi ρ, Hadhrat Abu Bakr and Hadhrat Umar τ negated the reading of the Janaazah Salaah loudly. The consenses of the Ummat is upon of this view.The dictates of these proofs is that it is not permissible to read Janaazah Salaah loudly, however the Ghair Muqallideen have turned a blind eye to this and declared the reading of Janaazah Salaah loudly as more virtuous and strong, instead Sunnat.

Ponder, conrtary to Allaah and His Rasul ρ and the action of the entire Ummat, can any action be more virtuous? Can any action be which is not established from Nabi ρ or the Khulafaa e Raashideen be declared as Sunnat? This is also worthy of consideration that there are four groups of the Ahle Sunnat, (i.e. Hanafi, Maaliki, Shaafi`ee and Hambali) and not one of them are of the opinion that the voice must be raised in Janaazah Salaah. Can such an action which is not practiced in the rules any one of the groups from the Ahle Sunnah be more virtuous, strong and Sunnat?

Respected reader, now you decide to give a ruling of such an action being Sunnat which was not practised for fourteen centuries, is this conforming or contradicting the Hadith?

Remember, only the people of Shaibah read Janaazah Salaah loudly, and the Ghair Muqallideen follow them in this practise of theirs, In the Haramain Shareefain also Janaazah Salaah is read softly.

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(16) To read Janaazah Salaah in the Masjid without an excuse is Makrooh.

1. Hadhrat Abu Hurairah τ said that Rasulullaah ρ said that whoever reads Janaazah Salaah in the Masjid, then for him is no reward. (Abu Dawood Vol.2 pg 98, Ibn Majah pg 110, Masanaf Abdur Razzaaq Vol.3 pg 527)

2. Hadhrat Saalih Mawlaa Tu'ammah (A.R.) narrates from Hadhrat Abu Hurairah τ that he said that Rasulullaah ρ said that whoever reads Janaazah Salaah in the Masjid, there is no reward for him, Hadhrat Saalih (A.R.) said that he had seen many people who had met Nabi ρ and Hadhrat Abu Bakr τ when they came for the Janaazah Salaah and did not find any place in the Masjid for Janaazah Salaah, then they returned and did not read Janaazah Salaah in the Masjid. (محنة المعبود فى ترتيب مسند الطيالسى ابى داود Vol.1 pg 165)

3. Hadhrat Saalih Mawlaa Tu ammah (A.R.) narrates from Hadhrat Abu Hurairah τ that he said that Rasulullaah ρ said that whoever reads Janaazah Salaah in the Masjid, there is no reward for him. Hadhrat Saalih (A.R.) said that the companions of Rasulullaah ρ used to leave when there was little or no place for Janaazah Salaah. They never read Janaazah Salaah in the Masjid. (Musanif ibn Abi Shaibah Vol.3 pg 364)

4. Hadhrat Saalih Mawlaa Tu ammah (A.R.) narrates from those Sahaabah and Taabi`een who had met Hadhrat Abu Bakr τ and Hadhrat Umar τ stated that when there was little or no place for Janaazah Salaah, they used to leave. They never read Janaazah Salaah in the Masjid. (Musanif ibn Abi Shaibah Vol.3 pg 365)

5. Hadhrat Katheer ibn Abbas τ said that he knew (in the time of Nabi ρ) that no one had read Janaazah Salaah in Masjid un Nabawi ρ (Musanif ibn Abi Shaibah Vol.3 pg 365, Masanaf Abdur Razzaaq Vol.3 pg 527)

6. Hadhrat Waail ibn Dawood said that he heard that when Nabi ρ's son Ibraahim had passed away, Nabi ρ read the Janaazah Salaah in the Maqaa`id (back of the place of Salaah) (Abu Dawood Vol.2 pg 98)

7. Hadhrat ibn Jareeh (A.R.) said that he asked Hadhrat Naafi` (A.R.) whether Hadhrat Abdullaah ibn Umar τ regarded the reading of Janaazah Salaah in the middle of the graves to be Makrooh? He said that they had read the Janaazah Salaah of Hadhrat Ayesha τ and Hadhrat Abu Umaamah τ in the middle of Baqi`. On the day they read the Janaazah Salaah of Hadhrat Ayesha τ the Imam was Hadhrat Abu Hurairah τ, and Hadhrat Abdullaah ibn Umar τ was also present. (Sunan e Kubra Bayhaqi Vol.2 pg 435, Musanif Abdur Razzaaq Vol.3 pg 525)

8. Hadhrat Ayesha τ narrated that when Sa`d ibn Abi Waqaas τ passed away in the year 55 A.H., then the wives of Nabi ρ sent a message that the people must pass in the Masjid with his Janaazah so that they can make Duaa for him. Accordingly, the people had done this. The Janaazah was kept infront of their rooms. They made Duaa and thereafter the Janaazah was taken to the Door of Janaaiz, which is at the back. This news had reached the pures wives of Nabi ρ that the people had understood this action to be a fault and were saying that the Janaazah was not suppose to enter the Masjid. This news also reached Hadhrat Ayesha τ. She said: "How quick the people are in declaring something as a fault of which they have no knowledge. They are finding a fault wih us in making the Janaazah pass the Masjid, whereas Nabi ρ had read the Janaazah Salaah here inside the Masjid." (Muslim Vol.1 pg 313)

9. Hadhrat Ibn Abi Zi`b (A.R.) naraated from Hadhrat Sa`eed ibn Abi Sa`eed Maburi (passed away in the year 125 A.H.) that he saw the guards of Marwaan ibn Hakam. They were removing and preventing the people from reading Janaazah Salaah in the Masjid (وفاء الوفا خيار دار المصطفى Vol.2 pg 531)

10. Hadhrat Katheer ibn Zaid (A.R.) said that he saw the guards of Hadhrat Umar ibn Abdul Aziz (A.R.) prevent the people from reading Janaazah Salaah in the Masjid. (وفاء الوفا خيار دار المصطفى Vol.2 pg 531)

11. Hadhrat Ibn Shihaab Zuhri (A.R.) said that when anyone use to pass away then on the occasion of the burial Nabi ρ use to go to perform the Salaah. When Nabi ρ presence was difficult (and it become difficult for Nabi ρ to go), then the Sahaabah e Kiraam began to take the deceased close to the house of Nabi ρ, Nabi ρ use to perform the Janaazah Salaah in the place of Janaaiz. This cutom continues till today. (وفاء الوفا خيار دار المصطفى Vol.2 pg 532)

12. Hadhrat Ibn Shihaab Zuhri (A.R.) said that Hadhrat Sa`eed ibn Musayyab τ informed me that Hadhrat Abu Hurairah τ said that Nabi ρ straightened the rows of the people in the place of Janaazaah Salaah and called out four Takbeers. (Bukhaari Vol.1 pg 177)

13. It is narrated from Hadhrat Abdullaah ibn Umar τ that the Jews came to Nabi ρ with a man and a woman from amongst them who had committed adultery. He had commanded that they be pelted. Accordingly, close to the place of Janaaiz they were pelted in the Masjid. (Bukhaari Vol.1 pg 177)

Hadhrat Imam Maalik (A.R.) said that I regard the keeping of the Janaaza in the Masjid to be makrooh. Yes, if the Janaazah is kept close to the Masjid for the Janaazah Salaah, then there will be no harm for the person in reading in the Masjid. And those who follow an Imam performing the Janaazah Salaah, then too there will no harm if he is reading in the Masjid due to there being no space outside because of the people. (Al Mudawana Al Kubra Vol.1 pg 177)

Hadhrat Imam Muhammad (A.R.) said, Janaazah Salaah should not be read in the Masjid. And it has reached us like this from Hadhrat Abu Hurairah τ. In Madinah Tayyabah, the place of Janaaiz is outside of the Masjidun Nabawi ρ, and this is the same place that Nabi ρ read Janaazah Salaah. (Mu`atta Imam Muhammad pg 165)

The research of Allaamah Ibn Qayyim

Allaamah Ibn Qayyim (A.R.) said that the correct view is what we mentioned ealier, **and the Sunnat of Nabi ρ and his way was to read Janaazah Salaah outside the Masjid, unless there is some excuse.** Both ways are permissible, however the more virtuous of the both is that the Janaazah Salaah should be read outside the Masjid. (زاد المعاد فى خير العباد Vol.1 pg 140)

From the discussion of the mentioned Ahaadeeth, Statements of the Sahaabah and Sayings of the Muhadditheen, the following is established.

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1. In the initial era after the migration to Madinah Tayyibah, when a Sahaabi use to pass away, then Nabi ρ used to take the Janaazah from its house to the place of burial and use to read the Janaazah Salaah. However, when the Sahaabah felt that this was difficult and burdensome for Nabi ρ to do, then they began to bring the deceased to the threshold of the house and near the House of Nabi ρ where there was a place where they decided that the deceased would be kept. Nabi ρ was informed. Nabi ρ came to the specified place and performend the Salaah as in Hadith number 11.

2. This specific place was outside the Masjid of Nabi ρ towards the western wall. In this same fixed place Nabi ρ use to perform Janaazah Salaah. The name of this same palce was Mawdi e Janaaiz and Musallaah e Janaaiz, as is clear from the explanation of Hadhrat Imam Muhammad (A.R.).

3. In this same place did Nabi ρ perform the Janaazah Salaah of the King of Abysinnia. Close to this same place the two adulterers male and female of the Jews were pelted. Accordingly it is clear from the Ahaadith numbers 12 and 13 of Bukhaari Shareef.

4. In this Mawdi e Janaazah Nabi ρ performed the Janaazah of his son Ibraahim τ, as is apparent from the Hadith number 6 in Abu Dawood.

5. Until the time of a great Taabi`ee like Hadhrat Ibn Shihaab Zuhri (A.R.) who passed away in the year 125 A.H. it was the custom to read the Janaazah Salaah in the Mawdi e Janaaiz in Madinah Tayyibah as is clear from Hadith number 11.

6. Nabi ρ did not regard the performing of Janaazah Salaah in the Masjid as good. Perhaps it is because of this that Nabi ρ said that whoever reads Janaazah Salaah in the Masjid, he will not get any reward for it. Hadith 1, 2 and 3.

7. According to the explanation of Hadhrat Katheer ibn Abbas τ, in the era of Nabuwaat, no one read Janaazah Salaah in the Masjid of Nabi ρ. As it is clear from Hadith number 5.

8. The practise of the Sahaabah e Kiraam τ the way of Nabi ρ was also that they also used to read Janaazah Salaah outside the Masjid, so much so that if due to the quantity of people if there was no more place outside of the Masjid for Janaazah Salaah, then the Sahaabah e Kiraam who were at the back use to return without performing it. They never read Janaazah Salaah in the Masjid. In the same way also the Sahaabah e Kiraam also did not like the entering of the Janaazah in the Masjid. It is because of this that the Sahaabah τ objected when the pure wives of Nabi ρ said that the Janaazah of Hadhrat Sa`d ibn Abi Waqaas τ must be brought into the Masjid near their rooms so that they could make Duaa and said that before the Janaazah did not enter the Masjid[1], as from Ahaadeeth numbers 2, 3, 4 and 8.

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[1] Futher in this Hadith it is stated that when this news had reached Hadhrat Ayesha τ then she became angry and said: " How quickly have the people forgotten, whereas Nabi ρ read the Janaazah Salaah of Hadhrat Ibn Baidaa τ." The purpose of this saying of Hadhrat Ayesha τ according to the practise of the Janaazah Salaah of Ibn Baidaa τ was outside the Masjid in Mawdi e Janaaiz. Nevertheless on this occasion they had come into the Masjid because of the large

9. The Janaazah Salaah of Hadhrat Umme Salamah and Ayesha τ was read Salaah outside the Masjid as it is apparent in Hadith number 7.

10. In the era of the Sahaabah e Kiraam, Hadhrat Marwaan ibn Hakam τ and Hadhrat Umar ibn Abdul Aziz (A.R) specified gaurds for this work, for the protection the Masjid and also to prevent the people performing Janaazah Salaah in the Masjid, as is clear from Hadith 9 and 10.

11. Hadhrat Imam Maalik (A.R.) also had declared the performing of Janaazah Salaah in the Masjid as Makrooh, as it is clear from the wording of Mudawan e Kubra.

12. The research of Allamaah ibn Qayyim (A.R.) is to read Janaazah Salaah outside the Masjid is the Sunnat of Nabi ρ and his way, for this reason it is more virtuous to read it outside the Masjid.

In light of these Ahaadeeth, statements of the Sahaabah τ and sayings of the Muhadditheen, the Jurists have declared the reading of Janaazah Salaah inside the Masjid without an extremely good excuse as 'Makrooh'.

However, despite all of these Ahaadeeth, statements of the Sahaabah τ, according to the Ghair Muqallideen, not only is the reading of Janaazah Salaah inside the Masjid permissible, **rather it is Sunnat.** And whoever denies this has gone contrary to the Sunnat. Therefore the

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quantity of people. From this Hadhrat Ayesha τ understood that Janaazah Salaah was in the Masjid. Perhaps this is the reason that no Sahaabi had narrated this saying of Hadhrat Ayesha τ. From this it is apparent that Sayyidinah Ayesha τ was mistaken, otherwise how can it be, that one occasion which occurred amongst the Sahaabah that no one of them remembered it, that all of them had forgotten and only Hadhrat Ayesha τ remembered. Secondly, the saying of Hadhrat Katheer ibn Abbas τ that "I myself know that in the time of Nabuwaat, no one read Janaazah Salaah in Masjidun Nabawi ρ" this also is a clear proof that Sayyidinah Ayesha τ was mistaken.

Mufti of the Jamaat of the Gurabaa Ahle Hadith Mufti Abdus Sataar writes: -

"In accordance to the (Hadith) Sunnat and Kitaab, to read Janaazah Salaah in the Masjid is permissible and correct, rather it is Sunnat. (Fataawa e Sataariyya Vol.2 pg 25)

The author of "Zafrul Mubeen" Muhyudeen Lahori write:-
"Then it is known that to read Janaazah Salaah in the Masjid is Sunnat and to deny this is contrary to the sunnat." (Balaagul Mubeen pg 553 بحواله فتاوی ستاريّة Vol.2 pg 31)

Remember this is an agreed upon 'mas`ala' of the Ghair Muqallideen. In approximately all the Fataawa to perform Janaazah Salaah in the Masjid has been declared permissible.

Conclusion:

It is established from the Ahaadeeth that in Madinah Tayyibah there was a specific place stipulated for the performing of Janaazah Salaah which was outside of the Masjid that was called Mawdi e Janaaiz and Musallaah e Janaaiz. The Mubaarak practice of Nabi ρ was to perform Janaazah Salaah in this place. In this place Nabi ρ had performed the Janaazah Salaah of Najaashi, in this same place he ρ performed the Janaazah Salaah of his son Ibraahim τ. According to Hadhrat Ibn Shihaab Zuhri (A.R.) in his time it was the custom to read Salaah in this place also. Nabi ρ did not regard the performing of Janaazah Salaah in the Masjid as good. Perhaps it is because of this that Nabi ρ said that whever reads Janaazah Salaah in the Masjid, he will not get any reward for it. This is the very reason that the Sahaabah e Kiraam use to return from the Janaazah. Because there was no place left in the Mawdi e Janaaiz. They did not read Janaazah Salaah.

Sayyidinah Ayesha τ said that they should bring the Janaazah inside the Masjid. They all objected to it saying that they never used to bring the Janaazah inside the Masjid. Hadhrat Katheer ibn Abbas τ said that he knew in the time of Nabi ρ no one performed Janaazah Salaah in

Masjid un Nabawi ρ. The Janaazah Salaah of Hadhrat Umme Salamah τ and Hadhrat Ayesha τ was read outside the Masjid. In the era of Sahaabah τ, Hadhrat Umar ibn Abdul Aziz τ and Hadhrat Marwaan ibn Hakam τ stipulated guards so that they would prevent the people from reading Janaazah Salaah in the Masjid. It is clear from all these citations that in the Masjid to perform Janaazah Salaah is not correct instead it is 'Makrooh', but the Ghair Muqallideen who claim to be practising on the Hadith, according to them to read Janaazah Salaah in the Masjid is not only permissible but rather Sunnat.
Ponder, if in the Masjid to read Janaazah Salaah was Sunnat then:

1. Why was there a place built in Madinah Tayyibah to perform Janaazah Salaah?

2. Besides one occasion narrated by Hadhrat Ayesha τ why is it not narrated from Nabi ρ that he read Janaazah Salaah in Masjidun Nabawi ρ all though in His life ?

3. Why did Nabi ρ perform the Janaazah Salaah of Najaashi as well that of his son Ibraahim τ outside the Masjid?

4. When in Mawdi e Janaaiz there was little or no place, why did they return without reading Janaaza Salaah, the Masjid of Nabi ρ was joined to this, why did they not read in it?

5. With the saying of the pure wives of Nabi ρ, when the Janaazah was brought into the Masjid why did the Sahaabah e Kiraam object to it?

6. Why was this said that the Janaazah was not brought in the Masjid before?

7. Why was the Janaazah of Hadhrat Ayesha and Ummah Salamah τ not performed in the Masjid?

8. In the era of the Sahaabah τ why were there guards stipulated to prevent the people from performing Janaazah Salaah in the

Masjid? Was Hadhrat Umar ibn Abdul Aziz τ who was called Umar the second not aware that to read Janaazah Salaah in the Masjid was Sunnat?

9. If in the Masjid to read Janaazah Salaah was Sunnat, then how did Hadhrat Katheer ibn Abbas τ say this that I know that in the era of Nabuwaat no one read Janaazah Salaah in the Masjid of Nabi ρ?

10. In the entire era of the Khairul Quroon (besides the Janaazah of Hadhrat Umar τ which was read in the Masjid of Nabi ρ because of unavoidable circumstances) why is there no authentic narrations of Janaazah Salaah being read in Masjidun Nabawi ρ?

11. If to read Janaazah Salaah in the Masjid was Sunnat, then why did the Imam Daarul Hijrat Imam Maalik (A.R.) declare the reading of Janaazah Salaah in the Masjid as Makrooh?

12. Why did Allaamah Ibn Qayyim (A.R.) write the Sunnat of Nabi ρ was to perform Janaazah Salaah outside the Masjid, because of this it is more virtuous that the Janaazah Salaah be performed outside the Masjid?

Respected reader, just after looking at all of this, to specify the reading Janaazah Salaah in the Masjid as Sunnat, is this conforming or contrary the Ahaadeeth?

Translation Edited in
Masjid un Nabi ρ
Madinah Munawarrah
4 / 5/ 2008